

AMENDMENT NO. _____ Calendar No. _____

Purpose: In the nature of a substitute.

IN THE SENATE OF THE UNITED STATES—117th Cong., 1st Sess.

S. _____

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

Referred to the Committee on _____ and
ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT IN THE NATURE OF A SUBSTITUTE intended
to be proposed by Mr. CARPER (for himself and Mrs. CAPITO)

Viz:

1 Strike all after the enacting clause and insert the fol-
2 lowing:

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

4 (a) SHORT TITLE.—This Act may be cited as the
5 “Drinking Water and Wastewater Infrastructure Act of
6 2021”.

7 (b) TABLE OF CONTENTS.—The table of contents for
8 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 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.

1 **TITLE I—DRINKING WATER**

2 **SEC. 101. TECHNICAL ASSISTANCE AND GRANTS FOR EMER-**
3 **GENCIES AFFECTING PUBLIC WATER SYS-**
4 **TEMS.**

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

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

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

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

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

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

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

23 “(5) **AUTHORIZATION OF APPROPRIATIONS.**—
24 There is authorized to be appropriated to the Ad-

1 administrator to carry out this subsection \$15,000,000
2 for each of fiscal years 2022 through 2026.”;

3 (4) by redesignating subsection (f) as sub-
4 section (g); and

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

7 “(f) STATE-BASED NONPROFIT ORGANIZATIONS.—

8 “(1) IN GENERAL.—The Administrator may
9 provide technical assistance consistent with the au-
10 thority provided under subsection (e) to State-based
11 nonprofit organizations that are governed by com-
12 munity water systems.

13 “(2) COMMUNICATION.—Each State-based non-
14 profit organization that receives funding under para-
15 graph (1) shall, before using that funding to under-
16 take activities to carry out this subsection, consult
17 with the State in which the assistance is to be ex-
18 pended or otherwise made available.”.

19 **SEC. 102. DRINKING WATER STATE REVOLVING LOAN**
20 **FUNDS.**

21 (a) DRINKING WATER STATE REVOLVING FUNDS
22 CAPITALIZATION GRANT REAUTHORIZATION.—Section
23 1452 of the Safe Drinking Water Act (42 U.S.C. 300j-
24 12) is amended—

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

4 (2) in subsection (m)(1) —

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

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

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

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

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

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

14 and

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

17 (3) in subsection (q), by striking “2016 through
18 2021” and inserting “2022 through 2026”.

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

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

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

3 “(B) to the extent that there are sufficient
4 applications for loans to communities described
5 in paragraph (1), may not be less than 12 per-
6 cent.”.

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

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

10 (1) in subsection (a)—

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

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

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

24 “(5) SAVINGS PROVISION.—Unless otherwise
25 provided within the agreement, an agreement be-

1 tween an unincorporated area and a county for the
2 county to submit a petition under paragraph (1)(A)
3 on behalf of the unincorporated area shall not au-
4 thorize the county to act on behalf of the unincor-
5 porated area in any matter not within a program
6 under this section.”; and

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

9 **SEC. 104. ASSISTANCE FOR SMALL AND DISADVANTAGED**
10 **COMMUNITIES.**

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

14 (1) in subsection (b)(2)—

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

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

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

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

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

3 “(i) the need for filtration and filter
4 safety, including proper use and mainte-
5 nance practices; and

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

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

13 “(i) an eligible entity; or

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

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

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

24 (4) by striking subsection (k) and inserting the
25 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 (l)—

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 lic 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 subsections (e) and (f), respectively; and

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

7 “(d) LEAD INVENTORYING UTILIZATION GRANT
8 PILOT 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 suspected, to contain lead, based on available
16 data, information, or resources, including exist-
17 ing lead inventorying.

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

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

1 available data, information, or resources, including
2 existing lead inventorying of those eligible entities.

3 “(3) SELECTION.—

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

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

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

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

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

1 merce of the House of Representatives a report de-
2 scribing—

3 “(A) the recipients of grants under the
4 pilot 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.
19 300j et seq.) is amended by adding at the end the fol-
20 lowing:

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

23 “(a) DEFINITIONS.—In this section:

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

1 “(A) a State;

2 “(B) a unit of local government;

3 “(C) a public corporation established by a
4 unit of local government to provide water serv-
5 ice;

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

9 “(E) an Indian Tribe that owns or oper-
10 ates a public water system;

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

14 “(G) a Tribal consortium.

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

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

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

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

- 1 “(B) is owned or operated by—
- 2 “(i) a unit of local government;
- 3 “(ii) a public corporation;
- 4 “(iii) a nonprofit corporation;
- 5 “(iv) a public trust;
- 6 “(v) a cooperative association; or
- 7 “(vi) an Indian Tribe.

8 “(b) ESTABLISHMENT.—Subject to the availability of

9 appropriations, the Administrator shall establish a pro-

10 gram to award grants to eligible entities for the purpose

11 of improving the operational sustainability of 1 or more

12 small systems.

13 “(c) APPLICATIONS.—To be eligible to receive a grant

14 under the program, an eligible entity shall submit to the

15 Administrator an application at such time, in such man-

16 ner, and containing such information as the Administrator

17 may require, including—

18 “(1) a proposal of the project to be carried out

19 using grant funds under the program;

20 “(2) documentation prepared by the eligible en-

21 tity describing the deficiencies or suspected defi-

22 ciencies in operational sustainability of 1 or more

23 small systems that are to be addressed through the

24 proposed project;

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

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

9 “(5) any additional information the Adminis-
10 trator may require.

11 “(d) ADDITIONAL REQUIRED INFORMATION.—Before
12 awarding funds for a grant under the program to a grant
13 recipient, the grant recipient shall submit to the Adminis-
14 trator—

15 “(1) if the grant recipient is located in a State
16 that has established a State drinking water treat-
17 ment revolving loan fund under section 1452, a copy
18 of a written agreement between the grant recipient
19 and the State in which the grant recipient agrees to
20 provide a copy of any data collected under the pro-
21 posed project to the State agency administering the
22 State drinking water treatment revolving loan fund
23 (or a designee); or

24 “(2) if the grant recipient is located in an area
25 other than a State that has established a State

1 drinking water treatment revolving loan fund under
2 section 1452, a copy of a written agreement between
3 the grant recipient and the Administrator in which
4 the eligible entity agrees to provide a copy of any
5 data collected under the proposed project to the Ad-
6 ministrator (or a designee).

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

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

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

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

21 “(B) global positioning system software;

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

24 “(4) the deployment of metering technology;

1 “(5) training in asset management strategies,
2 techniques, and technologies for appropriate staff
3 employed by—

4 “(A) the eligible entity; or

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

7 “(6) the deployment of strategies, techniques,
8 and technologies to enhance the operational sustain-
9 ability and effective use of water resources through
10 water reuse; and

11 “(7) the development or deployment of other
12 strategies, techniques, or technologies that the Ad-
13 ministrator may determine to be appropriate under
14 the program.

15 “(f) COST SHARE.—

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

20 “(2) WAIVER.—The Administrator may in-
21 crease the Federal share under paragraph (1) to 100
22 percent.

23 “(g) 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 a description of the use
3 and deployment of amounts made available under the pro-
4 gram.

5 “(h) AUTHORIZATION OF APPROPRIATIONS.—There
6 is authorized to be appropriated to carry out this section
7 \$50,000,000 for each of fiscal years 2022 through 2026.”.

8 **SEC. 107. MIDSIZE AND LARGE DRINKING WATER SYSTEM**
9 **INFRASTRUCTURE RESILIENCE AND SUS-**
10 **TAINABILITY PROGRAM.**

11 Part E of the Safe Drinking Water Act (42 U.S.C.
12 300j et seq.) (as amended by section 106) is amended by
13 adding at the end the following:

14 **“SEC. 1459F. MIDSIZE AND LARGE DRINKING WATER SYS-**
15 **TEM INFRASTRUCTURE RESILIENCE AND**
16 **SUSTAINABILITY PROGRAM.**

17 “(a) DEFINITIONS.—In this section:

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

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

24 “(3) RESILIENCE AND SUSTAINABILITY PRO-
25 GRAM.—The term ‘resilience and sustainability pro-

1 gram’ means the Midsize and Large Drinking Water
2 System Infrastructure Resilience and Sustainability
3 Program established under subsection (b).

4 “(b) ESTABLISHMENT.—The Administrator shall es-
5 tablish and carry out a program, to be known as the
6 ‘Midsize and Large Drinking Water System Infrastruc-
7 ture Resilience and Sustainability Program’, under which
8 the Administrator, subject to the availability of appropria-
9 tions for the resilience and sustainability program, shall
10 award grants to eligible entities for the purpose of—

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

13 “(2) reducing cybersecurity vulnerabilities.

14 “(c) USE OF FUNDS.—An eligible entity may only
15 use grant funds received under the resilience and sustain-
16 ability program to assist in the planning, design, construc-
17 tion, implementation, operation, or maintenance of a pro-
18 gram or project that increases resilience to natural haz-
19 ards and extreme weather events, or reduces cybersecurity
20 vulnerabilities, through—

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

23 “(2) the modification or relocation of existing
24 drinking water system infrastructure made, or that
25 is at risk of being, significantly impaired by natural

1 hazards or extreme weather events, including risks
2 to drinking water from flooding;

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

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

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

12 “(6) the development and implementation of
13 measures—

14 “(A) to increase the resilience of the eligi-
15 ble entity to natural hazards and extreme
16 weather events; or

17 “(B) to reduce cybersecurity
18 vulnerabilities; or

19 “(7) the conservation of water or the enhance-
20 ment of a water supply through the implementation
21 of water reuse measures.

22 “(d) APPLICATION.—To seek a grant under the resil-
23 ience and sustainability program, an eligible entity shall
24 submit to the Administrator an application at such time,

1 in such manner, and containing such information as the
2 Administrator may require, including—

3 “(1) a proposal of the program or project to be
4 planned, designed, constructed, implemented, oper-
5 ated, or maintained by the eligible entity;

6 “(2) an identification of the natural hazard
7 risks, extreme weather events, or potential cyberse-
8 curity vulnerabilities, as applicable, to be addressed
9 by the proposed program or project;

10 “(3) documentation prepared by a Federal,
11 State, regional, or local government agency of the
12 natural hazard risk, potential cybersecurity vulner-
13 ability, or risk for extreme weather events to the
14 area where the proposed program or project is to be
15 located;

16 “(4) a description of any recent natural haz-
17 ards, cybersecurity events, or extreme weather
18 events that have affected the community water sys-
19 tem of the eligible entity;

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

1 “(6) an explanation of how the proposed pro-
2 gram or project is expected—

3 “(A) to enhance the resilience of the com-
4 munity water system of the eligible entity to the
5 anticipated natural hazards or extreme weather
6 events; or

7 “(B) to reduce cybersecurity
8 vulnerabilities.

9 “(e) 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) DEFINITIONS.—In this section:

24 “(1) LARGE COMMUNITY WATER SYSTEM.—The
25 term ‘large community water system’ means a com-

1 munity water system or treatment works that serves
2 a population of more than 100,000 inhabitants.

3 “(2) LOW-INCOME HOUSEHOLD.—The term
4 ‘low-income household’ means a household that has
5 an income that, as determined by the State in which
6 the household is located, does not exceed the greater
7 of—

8 “(A) an amount equal to 150 percent of
9 the poverty level of that State; and

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

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

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

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

1 “(6) TREATMENT WORKS.—The term ‘treat-
2 ment works’ has the meaning given the term in sec-
3 tion 212 of the Federal Water Pollution Control Act
4 (33 U.S.C. 1292).

5 “(b) STUDY; REPORT.—

6 “(1) IN GENERAL.—The Administrator shall
7 conduct, and submit to Congress a report describing
8 the results of, a study regarding the prevalence
9 throughout the United States of municipalities, pub-
10 lic entities, or Tribal governments that—

11 “(A) own or operate rural community
12 water systems, medium community water sys-
13 tems, or large community water systems that
14 service a disproportionate level of low-income
15 households with need, including low-income
16 renters with need or a community water system
17 or treatment works that provides services to a
18 disadvantaged community (as defined in section
19 1452(d)(3)); or

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

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

1 “(A) recommendations of the Adminis-
2 trator regarding the best methods to increase
3 access to affordable and reliable drinking water
4 and wastewater services;

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

7 “(C) with respect to the development of
8 the report, a consultation with all relevant
9 stakeholders.

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

13 **SEC. 109. RURAL AND LOW-INCOME DRINKING WATER AS-**
14 **SISTANCE PILOT PROGRAM.**

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

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

20 “(a) DEFINITIONS.—In this section:

21 “(1) ELIGIBLE ENTITY.—The term ‘eligible en-
22 tity’ means a municipality, Tribal government, or
23 other entity that—

24 “(A) owns or operates a community water
25 system or treatment works that services a dis-

1 proportionate level of low-income households (as
2 defined in section 1459E(a)), including low-in-
3 come renters; or

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

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

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

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

21 “(5) PILOT PROGRAM.—The term ‘pilot pro-
22 gram’ means the pilot program established by the
23 Administrator under subsection (b)(1).

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

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

3 “(7) TREATMENT WORKS.—The term ‘treat-
4 ment works’ has the meaning given the term in sec-
5 tion 212 of the Federal Water Pollution Control Act
6 (33 U.S.C. 1292).

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

10 “(b) ESTABLISHMENT.—

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

19 “(2) REQUIREMENT.—In establishing the pilot
20 program, the Administrator shall ensure that the
21 water services needs assessment directly contributes
22 to the structure of the pilot program by informing
23 the types of assistance and criteria used for priority
24 consideration with the demonstrated need from the

1 study conducted under section 1459G(b)(1) and the
2 water services needs assessment.

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

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

7 “(B) may be used to supplement or en-
8 hance an existing program, including a program
9 that receives assistance from other Federal
10 grants.

11 “(4) TERM.—The term of a grant awarded
12 under the pilot program shall be subject to the avail-
13 ability of appropriations.

14 “(5) TYPES OF ASSISTANCE.—In establishing
15 the pilot program, the Administrator may include
16 provisions for—

17 “(A) direct financial assistance;

18 “(B) a lifeline rate;

19 “(C) bill discounting;

20 “(D) special hardship provisions;

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

22 or

23 “(F) debt relief for the eligible entity or
24 the community water system owned by the eligi-

1 ble entity that is determined by the Adminis-
2 trator to be in the interest of public health.

3 “(6) REQUIREMENT.—The Administrator shall
4 award not more than 40 grants under the pilot pro-
5 gram, of which—

6 “(A) 10 shall be to eligible entities that
7 own or operate a rural community water sys-
8 tem;

9 “(B) 10 shall be to eligible entities that
10 own or operate a medium community water sys-
11 tem;

12 “(C) 10 shall be to eligible entities that
13 own or operate a large community water sys-
14 tem; and

15 “(D) 10 shall be to eligible entities that
16 own or operate a community water system or
17 treatment works that services a disadvantaged
18 community (as defined in section 1452(d)(3)).

19 “(7) CRITERIA.—In addition to any priority cri-
20 teria established by the Administrator in response to
21 the findings in the water services needs assessment,
22 in awarding grants under the pilot program, the Ad-
23 ministrator shall give priority consideration to eligi-
24 ble entities that—

1 “(A)(i) serve a predominant number of
2 customers considered to be low-income or mod-
3 erate-income, as identified in the drinking water
4 needs assessment; and

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

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

12 “(8) REPORTING REQUIREMENTS.—

13 “(A) IN GENERAL.—In addition to any
14 other applicable Federal or agency-specific
15 grant reporting requirements, as a condition of
16 receiving a grant under the pilot program, an
17 eligible entity (or a State, on behalf of an eligi-
18 ble entity) shall submit to the Administrator an
19 annual report that summarizes, in a manner de-
20 termined by the Administrator, the use of grant
21 funds by the eligible entity, including—

22 “(i) key features of the assistance
23 provided by the eligible entity, including
24 rate structures, rebates, discounts, and re-

1 lated initiatives that assist households, in-
2 cluding—

3 “(I) budget billing;

4 “(II) bill timing; and

5 “(III) pretermination protections;

6 “(ii) sources of funding used to sup-
7 plement Federal funds; and

8 “(iii) eligibility criteria.

9 “(B) PUBLICATION.—The Administrator
10 shall publish each report submitted under sub-
11 paragraph (A).

12 “(c) TECHNICAL ASSISTANCE.—The Administrator
13 shall provide technical assistance to each eligible entity,
14 and each State, on behalf of an eligible entity, that re-
15 ceives a grant under the pilot program to ensure full im-
16 plementation of the program.

17 “(d) REPORT.—Not later than 2 years after the date
18 on which grant funds are first disbursed to an eligible enti-
19 ty (or a State, on behalf of an eligible entity) under the
20 program, and every year thereafter for the duration of the
21 terms of the grants, the Administrator shall submit to
22 Congress a report on the results of the pilot program.”.

1 **SEC. 110. LEAD CONTAMINATION IN SCHOOL DRINKING**
2 **WATER.**

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

5 (1) in subsection (b)—

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

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

11 (2) in subsection (d)—

12 (A) in paragraph (2)—

13 (i) in subparagraph (A)—

14 (I) by striking “in voluntary test-
15 ing” and inserting “, public water sys-
16 tems that serve schools and child care
17 programs under the jurisdiction of
18 those local educational agencies, and
19 qualified nonprofit organizations in
20 voluntary testing or compliance moni-
21 toring”;

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

24 (III) by striking “grants avail-
25 able to States” and inserting the fol-
26 lowing: “grants available to—

1 “(i) States”; and

2 (IV) by adding at the end the fol-
3 lowing:

4 “(ii) tribal consortia to assist tribal
5 education agencies (as defined in section 3
6 of the National Environmental Education
7 Act (20 U.S.C. 5502)) in voluntary testing
8 for lead contamination in drinking water at
9 schools and child care programs under the
10 jurisdiction of the tribal education agen-
11 cy.”;

12 (ii) in subparagraph (B)—

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

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

18 (III) by adding at the end the
19 following:

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

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

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

4 “(III) provides technical assist-
5 ance to schools or child care programs
6 in carrying out lead testing; or

7 “(iv) a qualified nonprofit organiza-
8 tion, as determined by the Administrator.”;

9 (B) in paragraphs (3), (5), (6), and (7), by
10 striking “State or local educational agency”
11 each place it appears and inserting “State, local
12 educational agency, public water system, tribal
13 consortium, or qualified nonprofit organiza-
14 tion”;

15 (C) in paragraph (4), by striking “States
16 and local educational agencies” and inserting
17 “States, local educational agencies, public water
18 systems, tribal consortia, and qualified non-
19 profit organizations”;

20 (D) in paragraph (6)—

21 (i) in the matter preceding subpara-
22 graph (A), by inserting “, public water sys-
23 tem, tribal consortium, or qualified non-
24 profit organization” after “each local edu-
25 cational agency”;

1 (ii) in subparagraph (A)(ii), by insert-
2 ing “or tribal” after “applicable State”;
3 and

4 (iii) in subparagraph (B)(i), by insert-
5 ing “applicable” before “local educational
6 agency”; and

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

9 “(8) AUTHORIZATION OF APPROPRIATIONS.—

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

12 “(A) \$30,000,000 for each of fiscal years
13 2022 through 2024;

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

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

16 **SEC. 111. INDIAN RESERVATION DRINKING WATER PRO-**
17 **GRAM.**

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

21 (1) in subsection (a)—

22 (A) in the matter preceding paragraph (1),
23 by striking “Subject to the availability of appro-
24 priations, the Administrator of the Environ-
25 mental Protection Agency” and inserting “The

1 Administrator of the Environmental Protection
2 Agency (referred to in this section as the ‘Ad-
3 ministrator’)’; and

4 (B) by striking “to implement” in the mat-
5 ter preceding paragraph (1) and all that follows
6 through the period at the end of paragraph (2)
7 and inserting “to implement eligible projects
8 described in subsection (b).”;

9 (2) by redesignating subsection (d) as sub-
10 section (f);

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

13 “(c) REQUIRED PROJECTS.—

14 “(1) IN GENERAL.—If sufficient projects exist,
15 of the funds made available to carry out this section,
16 the Administrator shall use 50 percent to carry
17 out—

18 “(A) 10 eligible projects described in sub-
19 section (b) that are within the Upper Missouri
20 River Basin;

21 “(B) 10 eligible projects described in sub-
22 section (b) that are within the Upper Rio
23 Grande Basin;

1 “(C) 10 eligible projects described in sub-
2 section (b) that are within the Columbia River
3 Basin;

4 “(D) 10 eligible projects described in sub-
5 section (b) that are within the Lower Colorado
6 River Basin; and

7 “(E) 10 eligible projects described in sub-
8 section (b) that are within the Arkansas-White-
9 Red 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 Tribe.

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. 112. 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 109) is amended by
16 adding at the end the following:

17 **“SEC. 1459I. 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 vulnerabilities, that enhances or could enhance the
2 treatment, monitoring, affordability, efficiency, and
3 safety of drinking water provided by a public water
4 system.

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, exist-
24 ing, or emerging, yet proven, technologies,
25 including technology that could address cy-

1 bersecurity vulnerabilities, as determined
2 by the Administrator, that enhance treat-
3 ment, monitoring, affordability, efficiency,
4 or safety of the drinking water provided by
5 the public water system, including tech-
6 nologies not identified in the study con-
7 ducted under 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, existing, or
11 emerging, yet proven, technologies, includ-
12 ing technology that could address cyberse-
13 curity vulnerabilities, as determined by the
14 Administrator, that enhance treatment,
15 monitoring, affordability, efficiency, or
16 safety of the drinking water provided by
17 the public water system, including tech-
18 nologies not identified in the study con-
19 ducted under 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 2 years 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 II—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) COMMUNICATION.—Each nonprofit organization
20 that receives funding under paragraph (8) of section
21 104(b) of the Federal Water Pollution Control Act (33
22 U.S.C. 1254(b)) shall, before using that funding to under-
23 take activities to carry out that paragraph, consult with
24 the State in which the assistance is to be expended or oth-
25 erwise made available.

1 (c) REPORT.—Not later than 2 years after the date
2 of enactment of this Act, the Administrator shall submit
3 to Congress a report that describes the implementation of
4 the grants authorized under subsections (b)(3), (b)(8),
5 and (g) of section 104 of the Federal Water Pollution Con-
6 trol Act (33 U.S.C. 1254), which shall include a descrip-
7 tion of the grant recipients and grant amounts made avail-
8 able to carry out those subsections.

9 **SEC. 202. WASTEWATER EFFICIENCY GRANT PILOT PRO-**
10 **GRAM.**

11 (a) DEFINITIONS.—In this section:

12 (1) PILOT PROGRAM.—The term “pilot pro-
13 gram” means the wastewater efficiency grant pilot
14 program established under subsection (b).

15 (2) TREATMENT WORKS.—The term “treatment
16 works” has the meaning given the term in section
17 212 of the Federal Water Pollution Control Act (33
18 U.S.C. 1292).

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

25 (c) SELECTION.—

1 (1) APPLICATIONS.—To be eligible to receive a
2 grant under the pilot program, an owner or operator
3 of a treatment works shall submit to the Adminis-
4 trator an application at such time, in such manner,
5 and containing such information as the Adminis-
6 trator may require.

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

11 (d) USE OF FUNDS.—

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

15 (A) sludge collection;

16 (B) installation of anaerobic digesters;

17 (C) methane capture;

18 (D) methane transfer;

19 (E) facility upgrades and retrofits nec-
20 essary to create or improve waste-to-energy sys-
21 tems; and

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

1 (2) LIMITATION.—A grant to a recipient under
2 the pilot program shall be not more than
3 \$4,000,000.

4 (e) REPORTS.—

5 (1) REPORT TO THE ADMINISTRATOR.—Not
6 later than 2 years after receiving a grant under the
7 pilot program and each year thereafter for which
8 amounts are made available for the pilot program
9 under subsection (f), the recipient of the grant shall
10 submit to the Administrator a report describing the
11 impact of that project on the communities within 3
12 miles of the treatment works.

13 (2) REPORT TO CONGRESS.—Not later than 1
14 year after first awarding grants under the pilot pro-
15 gram and each year thereafter for which amounts
16 are made available for the pilot program under sub-
17 section (f), the Administrator shall submit to Con-
18 gress a report describing—

19 (A) the applications received by the Ad-
20 ministrator for grants under the pilot program;
21 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
2 appropriated 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
12 Act (33 U.S.C. 1300) is amended—

13 (1) in subsection (b), in the heading, by strik-
14 ing “IN GENERAL” and inserting “ESTABLISH-
15 MENT”;

16 (2) in subsection (d)—

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

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

20 (3) by striking subsection (e);

21 (4) in subsection (i)—

22 (A) in the matter preceding paragraph (1),
23 by striking “, the following definitions apply”;
24 and

1 (B) in paragraph (1), in the first sentence,
2 by striking “water or wastewater or by treating
3 wastewater” and inserting “water, wastewater,
4 or stormwater or by treating wastewater or
5 stormwater”;

6 (5) in subsection (j)—

7 (A) in the first sentence, by striking
8 “There is” and inserting the following:

9 “(1) IN GENERAL.—There is”;

10 (B) in paragraph (1) (as so designated), by
11 striking “a total of \$75,000,000 for fiscal years
12 2002 through 2004. Such sums shall” and in-
13 serting “\$25,000,000 for each of fiscal years
14 2022 through 2026, to”; and

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

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

20 (6) by redesignating subsections (b), (c), (d),
21 (i), and (j) as subsections (c), (d), (e), (b), and (i),
22 respectively, and moving those subsections so as to
23 appear in alphabetical order.

1 **SEC. 204. SEWER OVERFLOW AND STORMWATER REUSE**
2 **MUNICIPAL GRANTS.**

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

5 (1) in subsection (a)(1) —

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

8 (B) by redesignating subparagraph (B) as
9 subparagraph (C); and

10 (C) by inserting after subparagraph (A)
11 the following:

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

16 (2) in subsection (d)—

17 (A) in the second sentence, by striking
18 “The non-Federal share of the cost” and insert-
19 ing the following:

20 “(3) TYPES OF NON-FEDERAL SHARE.—The
21 applicable non-Federal share of the cost under this
22 subsection”;

23 (B) in the first sentence, by striking “The
24 Federal” and inserting the following:

25 “(1) IN GENERAL.—Subject to paragraph (2),
26 the Federal”; and

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

3 “(2) FEDERAL SHARE FOR RURAL OR FINAN-
4 CIALY DISTRESSED COMMUNITIES.—

5 “(A) IN GENERAL.—Subject to subpara-
6 graph (B), the Federal share of the cost of an
7 activity carried out using amounts from a grant
8 under subsection (a) in a rural community or a
9 financially distressed community (as those
10 terms are defined in subsection (f)(2)(B)(i))
11 shall be 90 percent.

12 “(B) WAIVER.—The Administrator may
13 increase the Federal share under subparagraph
14 (A) to 100 percent.”;

15 (3) in subsection (f)—

16 (A) by striking paragraph (1) and insert-
17 ing the following:

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

21 (B) in paragraph (2)—

22 (i) by striking “To the extent” and in-
23 sserting the following:

24 “(A) GREEN PROJECTS.—To the extent”;

25 and

1 (ii) by adding at the end the fol-
2 lowing:

3 “(B) RURAL OR FINANCIALLY DISTRESSED
4 COMMUNITY ALLOCATION.—

5 “(i) DEFINITIONS.—In this subpara-
6 graph:

7 “(I) FINANCIALLY DISTRESSED
8 COMMUNITY.—The term ‘financially
9 distressed community’ has the mean-
10 ing given the term in subsection
11 (c)(1).

12 “(II) RURAL COMMUNITY.—The
13 term ‘rural community’ means a city,
14 town, or unincorporated area that has
15 a population of not more than 10,000
16 inhabitants.

17 “(ii) ALLOCATION.—

18 “(I) IN GENERAL.—To the extent
19 there are sufficient eligible project ap-
20 plications, the Administrator shall en-
21 sure that a State uses not less than
22 25 percent of the amount of the
23 grants made to the State under sub-
24 section (a) in a fiscal year to carry
25 out projects in rural communities or

1 financially distressed communities for
2 the purpose of planning, design, and
3 construction of—

4 “(aa) treatment works to
5 intercept, transport, control,
6 treat, or reuse municipal sewer
7 overflows, sanitary sewer over-
8 flows, or stormwater; or

9 “(bb) any other measures to
10 manage, reduce, treat, or recap-
11 ture stormwater or subsurface
12 drainage water eligible for assist-
13 ance under section 603(c).

14 “(II) RURAL COMMUNITIES.—Of
15 the funds allocated under subclause
16 (I) for the purposes described in that
17 subclause, to the extent there are suf-
18 ficient eligible project applications, the
19 Administrator shall ensure that a
20 State uses not less than 60 percent to
21 carry out projects in rural commu-
22 nities.”; and

23 (4) in subsection (i)—

1 (A) in the second sentence, by striking
2 “The recommended funding levels” and insert-
3 ing the following:

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

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

8 “(1) RECOMMENDED FUNDING LEVELS.—

9 “(A) IN GENERAL.—Not later”; and

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

11 “(2) USE OF FUNDS.—Not later than 2 years
12 after the date of enactment of the Drinking Water
13 and Wastewater Infrastructure Act of 2021, the Ad-
14 ministrators shall submit to the Committee on Envi-
15 ronment and Public Works of the Senate and the
16 Committee on Transportation and Infrastructure of
17 the House of Representatives a report that describes
18 the implementation of the grant program under this
19 section, which shall include a description of the
20 grant recipients and grant amounts made available
21 under the program.”.

1 **SEC. 205. CLEAN WATER INFRASTRUCTURE RESILIENCY**
2 **AND SUSTAINABILITY PROGRAM.**

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

6 **“SEC. 222. CLEAN WATER INFRASTRUCTURE RESILIENCY**
7 **AND SUSTAINABILITY PROGRAM.**

8 “(a) DEFINITIONS.—In this section:

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

11 “(A) a municipality; or

12 “(B) an intermunicipal, interstate, or State
13 agency.

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

18 “(3) PROGRAM.—The term ‘program’ means
19 the clean water infrastructure resilience and sustain-
20 ability program established under subsection (b).

21 “(b) ESTABLISHMENT.—Subject to the availability of
22 appropriations, the Administrator shall establish a clean
23 water infrastructure resilience and sustainability program
24 under which the Administrator shall award grants to eligi-
25 ble entities for the purpose of increasing the resilience of

1 publicly owned treatment works to a natural hazard or cy-
2 bersecurity vulnerabilities.

3 “(c) USE OF FUNDS.—An eligible entity that receives
4 a grant under the program shall use the grant funds for
5 planning, designing, or constructing projects (on a system-
6 wide or area-wide basis) that increase the resilience of a
7 publicly owned treatment works to a natural hazard or cy-
8 bersecurity vulnerabilities through—

9 “(1) the conservation of water;

10 “(2) the enhancement of water use efficiency;

11 “(3) the enhancement of wastewater and
12 stormwater management by increasing watershed
13 preservation and protection, including through the
14 use of—

15 “(A) natural and engineered green infra-
16 structure; and

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

19 “(4) the modification or relocation of an exist-
20 ing publicly owned treatment works, conveyance, or
21 discharge system component that is at risk of being
22 significantly impaired or damaged by a natural haz-
23 ard;

24 “(5) the development and implementation of
25 projects to increase the resilience of publicly owned

1 treatment works to a natural hazard or cybersecu-
2 rity vulnerabilities, as applicable; or

3 “(6) the enhancement of energy efficiency or
4 the use and generation of recovered or renewable en-
5 ergy in the management, treatment, or conveyance
6 of wastewater or stormwater.

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

12 “(1) a proposal of the project to be planned, de-
13 signed, or constructed using funds under the pro-
14 gram;

15 “(2) an identification of the natural hazard risk
16 of the area where the proposed project is to be lo-
17 cated or potential cybersecurity vulnerability, as ap-
18 plicable, to be addressed by the proposed project;

19 “(3) documentation prepared by a Federal,
20 State, regional, or local government agency of the
21 natural hazard risk of the area where the proposed
22 project is to be located or potential cybersecurity
23 vulnerability, as applicable, of the area where the
24 proposed project is to be located;

1 “(4) a description of any recent natural hazard
2 risk of the area where the proposed project is to be
3 located or potential cybersecurity vulnerabilities that
4 have affected the publicly owned treatment works;

5 “(5) a description of how the proposed project
6 would improve the performance of the publicly
7 owned treatment works under an anticipated natural
8 hazard or natural hazard risk of the area where the
9 proposed project is to be located or a potential cy-
10 bersecurity vulnerability, as applicable; and

11 “(6) an explanation of how the proposed project
12 is expected to enhance the resilience of the publicly
13 owned treatment works to a natural hazard risk of
14 the area where the proposed project is to be located
15 or a potential cybersecurity vulnerability, as applica-
16 ble.

17 “(e) GRANT AMOUNT AND OTHER FEDERAL RE-
18 QUIREMENTS.—

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

23 “(2) EXCEPTION.—

24 “(A) IN GENERAL.—Except as provided in
25 subparagraph (B), a grant under the program

1 shall not exceed 90 percent of the total cost of
2 the proposed project if the project serves a com-
3 munity that—

4 “(i) has a population of fewer than
5 10,000 individuals; or

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

9 “(B) WAIVER.—At the discretion of the
10 Administrator, a grant for a project described
11 in subparagraph (A) may cover 100 percent of
12 the total cost of the proposed project.

13 “(3) REQUIREMENTS.—The requirements of
14 section 608 shall apply to a project funded with a
15 grant under the program.

16 “(f) REPORT.—Not later than 2 years after the date
17 of enactment of the Drinking Water and Wastewater In-
18 frastructure Act of 2021, the Administrator shall submit
19 to Congress a report that describes the implementation of
20 the program, which shall include an accounting of all
21 grants awarded under the program, including a descrip-
22 tion of each grant recipient and each project funded using
23 a grant under the program.

24 “(g) AUTHORIZATION OF APPROPRIATIONS.—

1 “(1) IN GENERAL.—There is authorized to be
2 appropriated to carry out this section \$25,000,000
3 for each 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. 206. SMALL AND MEDIUM PUBLICLY OWNED TREAT-**
9 **MENT WORKS CIRCUIT RIDER PROGRAM.**

10 Title II of the Federal Water Pollution Control Act
11 (33 U.S.C. 1281 et seq.) (as amended by section 205) is
12 amended by adding at the end the following:

13 **“SEC. 223. SMALL AND MEDIUM PUBLICLY OWNED TREAT-**
14 **MENT WORKS CIRCUIT RIDER 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 estab-
18 lish a circuit rider program (referred to in this section as
19 the ‘circuit rider program’) under which the Administrator
20 shall award grants to qualified nonprofit entities, as deter-
21 mined by the Administrator, to provide assistance to own-
22 ers and operators of small and medium publicly owned
23 treatment works to carry out the activities described in
24 section 602(b)(13).

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

4 “(c) COMMUNICATION.—Each qualified nonprofit en-
5 tity that receives funding under this section shall, before
6 using that funding to undertake activities to carry out this
7 section, consult with the State in which the assistance is
8 to be expended or otherwise made available.

9 “(d) REPORT.—Not later than 2 years after the date
10 on which the Administrator establishes the circuit rider
11 program, and every 2 years thereafter, the Administrator
12 shall submit to Congress a report describing—

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

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

17 “(e) AUTHORIZATION OF APPROPRIATIONS.—

18 “(1) IN GENERAL.—There is authorized to be
19 appropriated to carry out this section \$10,000,000
20 for the period of fiscal years 2022 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. 207. SMALL PUBLICLY OWNED TREATMENT WORKS**
2 **EFFICIENCY GRANT PROGRAM.**

3 Title II of the Federal Water Pollution Control Act
4 (33 U.S.C. 1281 et seq.) (as amended by section 206) is
5 amended by adding at the end the following:

6 **“SEC. 224. SMALL PUBLICLY OWNED TREATMENT WORKS**
7 **EFFICIENCY GRANT PROGRAM.**

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

17 “(b) ELIGIBLE ENTITIES.—The Administrator may
18 award a grant under the efficiency grant program to—

19 “(1) an owner or operator of a small publicly
20 owned treatment works that serves—

21 “(A) a population of not more than 10,000
22 people; or

23 “(B) a disadvantaged community; or

24 “(2) a nonprofit organization that seeks to as-
25 sist a small publicly owned treatment works de-

1 scribed in paragraph (1) to carry out the activities
2 described in subsection (a).

3 “(c) REPORT.—Not later than 2 years after the date
4 on which the Administrator establishes the efficiency
5 grant program, and every 2 years thereafter, the Adminis-
6 trator shall submit to Congress a report describing—

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

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

11 “(d) USE OF FUNDS.—

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

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

1 **SEC. 208. GRANTS FOR CONSTRUCTION AND REFUR-**
2 **BISHING OF INDIVIDUAL HOUSEHOLD DE-**
3 **CENTRALIZED WASTEWATER SYSTEMS FOR**
4 **INDIVIDUALS WITH LOW OR MODERATE IN-**
5 **COME.**

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 AND REFUR-**
10 **BISHING OF INDIVIDUAL HOUSEHOLD DE-**
11 **CENTRALIZED WASTEWATER SYSTEMS FOR**
12 **INDIVIDUALS WITH LOW OR MODERATE IN-**
13 **COME.**

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 nial 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 “(c) GRANTS.—

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 grants under this
4 subsection, a private nonprofit organization shall
5 give priority to any eligible individual who does not
6 have access to a sanitary sewage disposal system.

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

15 “(e) AUTHORIZATION OF APPROPRIATIONS.—

16 “(1) IN GENERAL.—There is authorized to be
17 appropriated to the Administrator to carry out this
18 section \$50,000,000 for each of fiscal years 2022
19 through 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
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 tity’ 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 needed, 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 3,300 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 3,300
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 (33 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–19e) 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 2 years
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 “(C) CONSULTATION.—In carrying out the
14 duties of the working group established under
15 subparagraph (A), the working group shall con-
16 sult with State operator certification programs.

17 “(5) AUTHORIZATION OF APPROPRIATIONS.—
18 There is authorized to be appropriated to carry out
19 this subsection \$5,000,000 for each of fiscal years
20 2022 through 2026.”;

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

23 (4) by inserting before subsection (b) (as so re-
24 designated) the following:

1 “(a) DEFINITION OF PUBLIC WORKS DEPARTMENT
2 OR AGENCY.—In this section, the term ‘public works de-
3 partment or agency’ means a political subdivision of a
4 local, county, or regional government that designs, builds,
5 operates, and maintains water infrastructure, sewage and
6 refuse disposal systems, and other public water systems
7 and facilities.”.

8 **SEC. 212. GRANTS TO ALASKA TO IMPROVE SANITATION IN**
9 **RURAL AND NATIVE VILLAGES.**

10 Section 303(e) of the Safe Drinking Water Act
11 Amendments of 1996 (33 U.S.C. 1263a(e)) is amended
12 by striking “this section” and all that follows through the
13 period at the end and inserting the following: “this sec-
14 tion—

15 “(1) \$40,000,000 for each of fiscal years 2022
16 through 2024;

17 “(2) \$50,000,000 for fiscal year 2025; and

18 “(3) \$60,000,000 for fiscal year 2026.”.

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

20 (a) ESTABLISHMENT.—

21 (1) IN GENERAL.—Subject to the availability of
22 appropriations, the Administrator shall establish a
23 competitive grant pilot program (referred to in this
24 section as the “pilot program”) under which the Ad-
25 ministrator may award grants to eligible entities

1 under subsection (b) to establish systems that im-
2 prove the sharing of information concerning water
3 quality, water infrastructure needs, and water tech-
4 nology, including cybersecurity technology, between
5 States or among counties and other units of local
6 government within a State, which may include—

7 (A) establishing a website or data hub to
8 exchange water data, including data on water
9 quality or water technology, including new and
10 emerging, but proven, water technology; and

11 (B) intercounty communications initiatives
12 related to water data.

13 (2) REQUIREMENTS.—

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

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

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

1 (ii) to share information, protocols,
2 and procedures with respect to projects
3 that evaluate, demonstrate, or install new
4 and emerging, but proven, water tech-
5 nology;

6 (B) carry out projects—

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

9 (ii) that evaluate, demonstrate, or in-
10 stall new and emerging, but proven, water
11 technology; and

12 (C) develop a regional intended use plan,
13 in accordance with paragraph (3), to identify
14 projects to carry out, including projects using
15 grants received under this section.

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

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

23 (B) may include—

24 (i) projects included in an intended
25 use plan of a State prepared under section

1 606(c) of the Federal Water Pollution
2 Control Act (33 U.S.C. 1386(c)) within the
3 regional consortium; and

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

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

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

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

20 (f) FUNDING.—

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

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

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

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

12 **SEC. 215. WATER INFRASTRUCTURE FINANCING REAU-**
13 **THORIZATION.**

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

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

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

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

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

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

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

14 (2) in subsection (b)(2)—

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

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

20 (3) in subsection (e)(1), by striking “2020 and
21 2021” and inserting “2022 through 2026”.

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

24 (a) ANALYSIS.—Not later than 2 years after the date
25 of enactment of this Act, using environmental justice data

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

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

24 (1) the results of the analysis; and

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

3 **SEC. 217. STORMWATER INFRASTRUCTURE TECHNOLOGY.**

4 (a) DEFINITIONS.—In this section:

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

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

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

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

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

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

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

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

3 (1) ESTABLISHMENT OF CENTERS.—

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

13 (B) GENERAL OPERATION.—Each center
14 shall—

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

1 cost efficiency, and protection of public
2 safety and water quality;

3 (ii) maintain a listing of—

4 (I) stormwater control infrastruc-
5 ture needs; and

6 (II) an analysis of new and
7 emerging stormwater control infra-
8 structure technologies that are avail-
9 able;

10 (iii) analyze whether additional finan-
11 cial programs for the implementation of
12 new and emerging, but proven, stormwater
13 control infrastructure technologies would
14 be useful;

15 (iv) provide information regarding re-
16 search conducted under clause (i) to the
17 national electronic clearinghouse center for
18 publication on the Internet website estab-
19 lished under paragraph (3)(B)(i) to pro-
20 vide to the Federal Government and State,
21 Tribal, and local governments and the pri-
22 vate sector information regarding new and
23 emerging, but proven, stormwater control
24 infrastructure technologies;

1 (v) provide technical assistance to
2 State, Tribal, and local governments to as-
3 sist with the design, construction, oper-
4 ation, and maintenance of stormwater con-
5 trol infrastructure projects that use inno-
6 vative technologies;

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

13 (vii) coordinate with the other centers
14 to avoid duplication of efforts.

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

21 (3) NATIONAL ELECTRONIC CLEARINGHOUSE
22 CENTER.—Of the centers established under para-
23 graph (1)(A), 1 shall—

24 (A) be designated as the “national elec-
25 tronic clearinghouse center”; and

1 (B) in addition to the other functions of
2 that center—

3 (i) develop, operate, and maintain an
4 Internet website and a public database
5 that contains information relating to new
6 and emerging, but proven, stormwater con-
7 trol infrastructure technologies; and

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

10 (4) AUTHORIZATION OF APPROPRIATIONS.—

11 (A) IN GENERAL.—There is authorized to
12 be appropriated to carry out this subsection
13 \$5,000,000 for each of fiscal years 2022
14 through 2026.

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

20 (c) STORMWATER CONTROL INFRASTRUCTURE
21 PROJECT GRANTS.—

22 (1) GRANT AUTHORITY.—Subject to the avail-
23 ability of appropriations, the Administrator shall
24 provide grants, on a competitive basis, to eligible en-
25 tities to carry out stormwater control infrastructure

1 projects that incorporate new and emerging, but
2 proven, stormwater control technologies in accord-
3 ance with this subsection.

4 (2) STORMWATER CONTROL INFRASTRUCTURE
5 PROJECTS.—

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

10 (i) Planning and designing
11 stormwater control infrastructure projects
12 that incorporate new and emerging, but
13 proven, stormwater control technologies,
14 including engineering surveys, landscape
15 plans, maps, long-term operations and
16 maintenance plans, and implementation
17 plans.

18 (ii) Identifying and developing stand-
19 ards necessary to accommodate stormwater
20 control infrastructure projects, including
21 those projects that incorporate new and
22 emerging, but proven, stormwater control
23 technologies.

24 (iii) Identifying and developing fee
25 structures to provide financial support for

1 design, installation, and operations and
2 maintenance of stormwater control infra-
3 structure, including new and emerging, but
4 proven, stormwater control infrastructure
5 technologies.

6 (iv) Developing approaches for com-
7 munity-based public-private partnerships
8 for the financing and construction of
9 stormwater control infrastructure tech-
10 nologies, including feasibility studies,
11 stakeholder outreach, and needs assess-
12 ments.

13 (v) Developing and delivering training
14 and educational materials regarding new
15 and emerging, but proven, stormwater con-
16 trol infrastructure technologies for dis-
17 tribution to—

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

20 (II) the public.

21 (B) IMPLEMENTATION GRANTS.—The Ad-
22 ministrator may make implementation grants
23 under this subsection for the following projects:

1 (i) Installing new and emerging, but
2 proven, stormwater control infrastructure
3 technologies.

4 (ii) Protecting or restoring inter-
5 connected networks of natural areas that
6 protect water quality.

7 (iii) Monitoring and evaluating the en-
8 vironmental, economic, or social benefits of
9 stormwater control infrastructure tech-
10 nologies that incorporate new and emerg-
11 ing, but proven, stormwater control tech-
12 nology.

13 (iv) Implementing a best practices
14 standard for stormwater control infrastruc-
15 ture programs.

16 (3) APPLICATION.—Except as otherwise pro-
17 vided in this section, to be eligible to receive a grant
18 under this subsection, an eligible entity shall prepare
19 and submit to the Administrator an application at
20 such time, in such form, and containing such infor-
21 mation as the Administrator may require, including,
22 as applicable—

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

1 (B) a plan for monitoring the impacts and
2 pollutant load reductions associated with the
3 stormwater control infrastructure project on the
4 water quality and quantity;

5 (C) an evaluation of other environmental,
6 economic, and social benefits of the stormwater
7 control infrastructure project; and

8 (D) a plan for the long-term operation and
9 maintenance of the stormwater control infra-
10 structure project and a tracking system, such
11 as asset management practices.

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

15 (A) a community that—

16 (i) has municipal combined storm and
17 sanitary sewers in the collection system of
18 the community; or

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

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

1 (5) MAXIMUM AMOUNTS.—

2 (A) PLANNING AND DEVELOPMENT
3 GRANTS.—

4 (i) SINGLE GRANT.—The amount of a
5 single planning and development grant
6 provided under this subsection shall be not
7 more than \$200,000.

8 (ii) AGGREGATE AMOUNT.—The total
9 amount of all planning and development
10 grants provided under this subsection for a
11 fiscal year shall be not more than $\frac{1}{3}$ of the
12 total amount made available to carry out
13 this subsection.

14 (B) IMPLEMENTATION GRANTS.—

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

19 (ii) AGGREGATE AMOUNT.—The total
20 amount of all implementation grants pro-
21 vided under this subsection for a fiscal
22 year shall be not more than $\frac{2}{3}$ of the total
23 amount made available to carry out this
24 subsection.

25 (6) FEDERAL SHARE.—

1 (A) IN GENERAL.—Except as provided in
2 subparagraph (C), the Federal share of a grant
3 provided under this subsection shall not exceed
4 80 percent of the total project cost.

5 (B) CREDIT FOR IMPLEMENTATION
6 GRANTS.—The Administrator shall credit to-
7 ward the non-Federal share of the cost of an
8 implementation project carried out under this
9 subsection the cost of planning, design, and
10 construction work completed for the project
11 using funds other than funds provided under
12 this section.

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

17 (d) REPORT TO CONGRESS.—Not later than 2 years
18 after the date on which the Administrator first awards a
19 grant under this section, the Administrator shall submit
20 to Congress a report that includes, with respect to the pe-
21 riod covered by the report—

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

24 (2) a detailed description of—

1 (A) the projects supported by those grants;

2 and

3 (B) the outcomes of those projects;

4 (3) a description of the improvements in tech-
5 nology, environmental benefits, resources conserved,
6 efficiencies, and other benefits of the projects funded
7 under this section;

8 (4) recommendations for improvements to pro-
9 mote and support new and emerging, but proven,
10 stormwater control infrastructure, including research
11 into new and emerging technologies, for the centers,
12 grants, and activities under this section; and

13 (5) a description of existing challenges con-
14 cerning the use of new and emerging, but proven,
15 stormwater control infrastructure.

16 (e) AUTHORIZATION OF APPROPRIATIONS.—

17 (1) IN GENERAL.—There is authorized to be
18 appropriated to carry out this section (except for
19 subsection (b)) \$10,000,000 for each of fiscal years
20 2022 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. 218. WATER REUSE INTERAGENCY WORKING GROUP.**

2 (a) IN GENERAL.—Not later than 180 days after the
3 date of enactment of this Act, the Administrator shall es-
4 tablish a Water Reuse Interagency Working Group (re-
5 ferred to in this section as the “Working Group”).

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

14 (c) CHAIRPERSON; MEMBERSHIP.—The Working
15 Group shall be—

16 (1) chaired by the Administrator; and

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

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

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

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

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

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

10 (5) consider how each Federal agency can ex-
11 plore and identify opportunities to support water
12 reuse through the programs and activities of that
13 Federal agency; and

14 (6) consult, on a regular basis, with representa-
15 tives of relevant industries, the research community,
16 and nongovernmental organizations.

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

20 (f) SUNSET.—

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

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

4 **SEC. 219. ADVANCED CLEAN WATER TECHNOLOGIES**
5 **STUDY.**

6 (a) IN GENERAL.—Subject to the availability of ap-
7 propriations, not later than 2 years after the date of enact-
8 ment of this Act, the Administrator shall carry out a study
9 that examines the state of existing and potential future
10 technology, including technology that could address cyber-
11 security vulnerabilities, that enhances or could enhance
12 the treatment, monitoring, affordability, efficiency, and
13 safety of wastewater services provided by a treatment
14 works (as defined in section 212 of the Federal Water Pol-
15 lution Control Act (33 U.S.C. 1292)).

16 (b) REPORT.—The Administrator shall submit to the
17 Committee on Environment and Public Works of the Sen-
18 ate and the Committee on Energy and Commerce of the
19 House of Representatives a report that describes the re-
20 sults of the study under subsection (a).

21 **SEC. 220. CLEAN WATERSHEDS NEEDS SURVEY.**

22 Title VI of the Federal Water Pollution Control Act
23 (33 U.S.C. 1381 et seq.) is amended by adding at the end
24 the following:

1 **“SEC. 609. CLEAN WATERSHEDS NEEDS SURVEY.**

2 “(a) REQUIREMENT.—Not later than 2 years after
3 the date of enactment of the Drinking Water and Waste-
4 water Infrastructure Act of 2021, and not less frequently
5 than once every 4 years thereafter, the Administrator
6 shall—

7 “(1) conduct and complete an assessment of
8 capital improvement needs for all projects that are
9 eligible under section 603(c) for assistance from
10 State water pollution control revolving funds; and

11 “(2) submit to Congress a report describing the
12 results of the assessment completed under para-
13 graph (1).

14 “(b) AUTHORIZATION OF APPROPRIATIONS.—There
15 is authorized to be appropriated to carry out the initial
16 needs survey under subsection (a) \$5,000,000, to remain
17 available until expended.”.