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EXAMINING THE CHALLENGES FACING DRINKING WATER AND WASTEWATER
INFRASTRUCTURE PROJECTS

Wednesday, March 17, 2021

United States Senate

Committee on Environment and Public Works

Subcommittee on Fisheries, Water and Wildlife

Washington, D.C.

The committee, met, pursuant to notice, at 10:01 a.m. in room 406, Dirksen Senate Office Building, the Honorable Thomas R. Carper [chairman of the committee] presiding.

Present: Senators Carper, Capito, Cardin, Markey, Duckworth, Stabenow, Kelly, Padilla, Inhofe, Lummis, Boozman, Wicker, Sullivan, Ernst.

STATEMENT OF THE HONORABLE THOMAS R. CARPER, A UNITED STATES
SENATOR FROM DELAWARE

Senator Carper. Good morning, everybody. It is Tom Carper on a train.

I am on a train because of my friend, Joe Biden. Joe Biden had been up in Wilmington last night, slept in his own bed so he could go to the St. Patrick's Day breakfast and mass at St. Patrick's church, which is literally halfway between my house and the train station.

Unbeknownst to me the whole city of Wilmington practically was shut down, and no traffic was moving. I know the police pretty well, but there was no way they were going to let me go through, so I ended up missing my train. I thought, maybe I will just drive down, but they also shut down access to I-95.

So I ended up on the next train, and I am joining you remotely, but I have never done this before, so we will see how it works out. If I am jumping around, it is because of the train that is jumping around. I am not jittery; it is just the train. My pastor has a saying: when God closes a door, he opens a window. In this case, he sent another train that happened to be going south, and I am on that train.

Shelley, I wish I could be there with you. Hopefully, I will be there within about 40 minutes or so

Today's hearing is on water infrastructure. Clean water,

including clean drinking water, I want to put it in context if I could.

The reason why we are having this hearing is because we were unable to come to an agreement at the end of last year when we worked on WRDA, the last good WRDA bill. The WRDA bill, you may recall, was something that all of us worked on, all of us contributed to on the committee and off the committee, as well. I believe that, in the WRDA bill, which ended up passing it is part of the omnibus, as I recall, had 46 projects, Army Corps of Engineers projects, 46 projects that were valued at about \$15 billion.

I think there were another 27 or so feasibility studies in WRDA, and I think there is a couple billion dollars' worth of covered maintenance projects from the Harbor Maintenance Trust Fund to go on top the earlier. That is \$4 billion worth of projects paid for out of the Harbor Maintenance Trust Fund. That was all work we did right at the end of the year before it was included in the Omnibus Trust Fund.

People ask me oftentimes, sometimes when I am standing at Biden station on the platform waiting for the train, people say to me, why can't you guys and gals just find stuff to work on together? As it turns out, there is great bipartisan support for infrastructure writ large, and not just water projects, not just Army Corps of Engineers, not just clean water, drinking

water, wastewater projects, harbor maintenance projects. There is agreement on broadband deployment. I think we put in the American Rescue [indiscernible] broadband projects. I think about another \$6 billion or so that was passed about a week or two ago. We were well on our way toward a running start with respect to surface transportation.

On February 10th, Senator Capito, Senator Inhofe, Senator Cardin and I joined President Biden in the Oval Office along with the Vice President, and along with the Secretary of Transportation for just a great, almost not a long meeting about surface transportation. That was followed up on February 19th, Senator Capito and I sent out letters to all 98 other Senators asking everybody to submit to our committee their surface transportation priorities. We gave them a month deadline, March 19th to finish doing that. We are beginning to hear to get those responses.

We did a similar kind of thing with WRDA. We always ask our colleagues, what are your priorities. We do the same thing with respect to surface transportation, and we are beginning to hear from everybody. The last day, the due date on that is March the 19th.

You may recall we had our first hearing on surface transportation on February 24th. A couple of governors there from Michigan, from Maryland, from Ben's State. We had the

mayor from Denver; we had a commissioner, I call her Secretary of Transportation from New Hampshire. Great hearing. Very good attendance. I think everybody, all but two people on the committee, participated either live or virtually at that hearing.

More recently, on March the 9th, I spent about half an hour or so on the phone with Secretary Buttigieg just talking about surface transportation and trying to make sure that we are on the same wavelength.

I mention those things just to -- let's see, what I am forgetting here. Oh yes, we are going to have a number of hearings between now and the end of May. Our hope, Senator Capito and I, hope for our committee to be able to report out surface transportation reauthorization before Memorial Day. We will have a number of hearings between now and then.

My hope is we will be able to have our next hearing on or about April 14th, that would be a hearing on vehicle miles traveled, 50 State pilot, just to see how the EMT pilots are going on in the other States.

We are doing that already. We are a little more than a month or two into the new Congress, and we are not wasting any time. We reported out, I think if we report out our surface transportation bill before Memorial Day, that will be about two months ahead of our schedule from two years earlier, so that

would be great.

Let me go ahead, if I can, and just go ahead and make my statement. We are just pulling into Union Station. Hopefully, they won't throw me off. This is a through train.

I just want to say we have been joined today by an outstanding panel of witnesses: Kishia Powell, Shellie Chard, Michael McNulty, and Nathan Ohle. I hope I got your name right there, Nathan.

We thank you all for joining us, either in person or remotely. I want to begin today by thanking Senators Duckworth, Cardin, Lummis for their leadership in exploring legislation to address the challenges facing our Nation through our neglect and lack of investment in America's water infrastructure.

If you think about it, the admonition to making the necessary investments in our water infrastructure can be traced all the way back to the words of Thomas Jefferson in the Declaration of Independence when he talked about inalienable rights. It included life, liberty, and the pursuit of happiness, and I think we all know and recognize that in order to have life, frankly, in order to have liberty and happiness, we need water.

There is also a moral admonition here. Matthew 25, when I was thirsty, did you give me drink, and the idea in Matthew 25 is, if you have given me dirty water, polluted water to drink.

The idea is clean water, and so we have a moral obligation.

In terms of what our founding fathers had in mind for us, we have, I think, that responsibility. Sadly, the reality for far too many communities around our Country is that they don't have reliable access to water that is essential for daily life.

One case in particular off the top of my head, we will never forget Flint, Michigan in 2014. Lead contamination in Flint's drinking water created a humanitarian disaster, leading to thousands of families without water to drink, to bathe in, or to cook with. One of our newest members of our committee is Debbie Stabenow. That is something that she worked on then, she works on even today.

Sadly, Flint is not an isolated incident. With the current state of our water systems, there are multiple offenses waiting to happen across our Country. Every four years, the American Society of Civil Engineers puts out a report card, and that report card assesses the state of our Nation's infrastructure. I think we have created a couple of posters here for you to see how we are doing, how our grades are coming along. The grades continue to be a cause for concern.

We look at these charts, last month's report card, our aging water drinking system earned a C minus, estimating that there is a water main break every two minutes in America. I am told that in the course of a day, that is enough water to fill,

get this, over 9,000 swimming pools, over 9,000 swimming pools. I had my staff check that out, and they said that is true.

Wastewater treatment facilities fared even worse, graded D plus. Our Nation has over one million miles of sewer wastewater pipes, and on average, they are 45 years old. Many systems date back more than a century.

Those aren't the kind of grades that my wife and I ever wanted our boys to come home and show us. I am sure they are not the kind of grades that you want your kids or your grandchildren to bring home, either. These poor grades that we have just seen demonstrated show how cities and towns around the Nation struggle to maintain their drinking water systems and prepare to maintain their drinking water systems, and prepare for the threats that emanate from climate change, including extreme storms and rising sea levels.

In its biannual high-risk report published just this month, GAO, the Government Accountability Office, urges that climate resilience measures be taken for water infrastructure projects that receive Federal financial assistance, I think we have a chart here. I am going to quote right from the chart. It says, "Congress should consider requiring that climate resilience be incorporated in the plan of all drinking water and wastewater projects and receive federal financial assistance." Those are the words of GAO.

That emphasis on climate resilience makes a whole lot of sense when you look at the water-related crises caused by extreme weather just last month in many parts of the south. In Oklahoma, Texas, Jackson, Mississippi, millions of families were left without access to safe drinking water. That is a disaster should never have occurred, and it is a disaster that should never occur again.

But there is some good news on this chart, because fortunately, when we invest in water infrastructure, that investment not only pays for itself, but it also helps [indiscernible] the economy of our Country. Water touches just about every part of our economy, perhaps even more than people may realize.

The Commerce Department tells us, when we add one job in the wastewater industry, it leads to the creation of an additional four jobs in America. I am reminded once again, words I often repeat of Albert Einstein, in adversity, lies opportunity. Clearly, the adversity we face is great. But if we seize the day and make smart investments and planning, save the water for our communities, those investments more than pay for themselves in the long run through the creation of good-paying American jobs.

With that having been said, we are pulling into Union Station. Thank you, God, and I can't believe this is working.

With that, let me turn to our Ranking Member, Senator Shelley Capito, for her opening remarks and to ask her to go ahead, and when she finishes up, to start introducing our witnesses. I look forward to joining you shortly. Thank you so much. See you in a little bit. Shelley, take it away. Thank you.

[The prepared statement of Senator Carper follows:]

STATEMENT OF THE HONORABLE SHELLEY MOORE CAPITO, A UNITED STATES
SENATOR FROM THE STATE OF WEST VIRGINIA

Senator Capito. [Presiding.] Got it. I want to thank the
Chairman. He seems a little jumpy today.

[Laughter.]

Senator Capito. I don't know what you guys think.

In any event, good effort there on the part of our
Chairman, and I want to thank him also, again, for his
leadership in putting this hearing together.

I want to thank our witnesses, and I very much look forward
to hearing their discussions on this important topic. This
committee values your perspectives on the challenges facing this
Nation's water infrastructure, as well as your thoughts on
effective solutions to address these challenges.

So, I appreciate our regular conversations that I have with
the Chairman. He can't hear me, but I think he knows how much
those mean to me and to both of us. Every day, Americans rely
on the infrastructure that supports our drinking water systems
and our wastewater systems. These are systems that the Nation
prides itself on, providing access to clean and safe water at
the turn of a handle.

Unfortunately, this Nation is facing critical challenges to
the resilience of these systems, with many of the rural
communities being disproportionately affected by the wide array

of water infrastructure challenges. Small, rural communities are particularly strained and need support to ensure protection and availability of this vital resource.

Many systems in my State of West Virginia are very old, as I am sure that is the same in every single State. When I am talking very old, I am talking in excess of 100 years. Some of our systems do not even know where their pipes are because the infrastructure predates the mapping research.

Additionally, reports have shown that only one-quarter of the water West Virginia systems pay to have treated and pumped even reach a faucet, so water is a valuable resource, and think of all that that we are losing. Of course, some rural communities lack municipal drinking water service and sanitary wastewater infrastructure entirely.

These challenges are not unique to my State. They exist throughout the Country in rural and urban and tribal communities alike. The time for action to address these challenges is right now. I am committed to addressing the challenges facing the Nation's water infrastructure expeditiously, in a bipartisan way, and with an approach that prioritizes the need.

Chairman Carper has set an aggressive timeline to address these needs legislatively. I appreciate that. I have been pleased to negotiate with him to address water infrastructure priorities, and I think we are very close to a final, bipartisan

agreement.

Last year, several drinking water and wastewater provisions approved unanimously by this committee in America's Drinking Water Infrastructure Act and the Drinking Water Infrastructure Act failed to reach the finish line before the end of the Congress. I think the Chairman mentioned that. These carefully negotiated, bipartisan provisions are the perfect jumping off point to address the challenges this Congress has in a timely and bipartisan fashion in clearing the way for new concepts in future legislation.

It is vital that we continue to work across the aisle to provide solutions that ensure communities across the Country are able to meet their water demands. This responsibility includes a recognition that continued funding at the federal level is necessary to address the various hindrances preventing resilient infrastructure among our water systems.

But we also need to acknowledge that continued or increased funding is only a solution insofar as the funding targets the actual infrastructure where needs are most apparent, and those needs can take many forms. They include priorities I have worked on, such as ensuring that systems have pipes that do not leak and ensuring there is a sustainable water workforce in place to maintain and operate continued and new infrastructure investments.

I think we need to also start really considering the serious risks posed by our cybersecurity threats. Different public water operators face different issues, and we have a duty to ensure that these systems are equipped with the right tools to address these various needs.

When all you have is a hammer, everything looks like a nail, but that poses a challenge when you need to drive a screw. Likewise, pretending that throwing more taxpayer dollars at infrastructure needs will fix the problems alone, without knowing what the actual needs are, where they are, and how they will be most effectively addressed, will only get us so far. That is why this committee must ensure that we provide the right tools in the drinking water and wastewater infrastructure toolbox, and I think we are well on our way to building on last Congress's good work.

I am committed to working on these issues that are so important to me, the citizens of the State of West Virginia, and my fellow committee members. I know these issues are important to my friends on the other side of the aisle, and I have no doubt we will continue to work hard together to address these critical challenges.

There are many priorities where we share common ground, and this certainly is one of them. I look forward to our continued partnership in this area and to rolling up our sleeves on behalf

of the Nation that relies on us to ensure the safety and reliability and availability of drinking water and wastewater service.

So, thank you, Mr. Chairman, as you are bumping along, there.

I will now recognize the Chairman of the Fisheries, Water, and Wildlife subcommittee, Senator Duckworth, for an opening statement.

[The prepared statement of Senator Capito follows:]

STATEMENT OF THE HONORABLE TAMMY DUCKWORTH, A UNITED STATES
SENATOR FROM THE STATE OF ILLINOIS

Senator Duckworth. Thank you so much, Ranking Member Capito. Yes, I hope he gets off the train before it turns around and goes back to Delaware.

[Laughter.]

Senator Duckworth. Although, missing the hearing because of St. Patrick's Day mass is an acceptable excuse for me as a Senator from Illinois. I would never be able to show my face back in Chicago were I not to accept that excuse. I would like to start by just giving everyone an Irish blessing. As you can tell from looking at me, my ancestry begins in Ireland. May the blessings of each day be the blessings that you need the most.

Thank you for holding today's joint hearing, Chairman Carper, with the Subcommittee on Water. Today, we will discuss one of the most critical issues for communities in Illinois and throughout the Nation: drinking water and wastewater infrastructure.

When discussing this topic, I am reminded of a moment that still haunts me to this day at a House Oversight Committee hearing on the Flint water crisis a few years back. At the time, my baby girl, my older daughter, was just a year old.

I remember looking out into the audience that was filled with residents of Flint, Michigan who had gotten on buses and

ridden all the way to Washington, D.C. because they wanted their voices heard. It was a sea of faces in that hearing room. At the very back, I couldn't see her face, but I could see her hand, and it was a woman's hand holding up a little baby bottle that had a pink top on it. It was the exact same bottle that I used to feed my daughter, except that in this baby bottle, the water was brown.

I remember thinking, what if I had had to drink this water while I was pregnant? What if that was the only water that I had to make the formula for my baby? That was really the beginning of my advocacy for water. What the community of Flint faced was unacceptable, and it is unthinkable that so many other communities in this Country have similar stories or face similar threats.

The danger is particularly elevated for my home State of Illinois, which, by one estimate, may be home to nearly 25 percent of all existing lead service lines in the entire United States. The City of Chicago alone is estimated to have roughly 400,000 lead service lines. That is more than any other city in the Nation.

This dynamic underlies why strengthening programs and investments under the Safe Drinking Water Act and the Clean Water Act have been, and remain, one of my top priorities in the Senate.

While contaminated drinking water has received more attention in recent years, run-down wastewater infrastructure also threatens our health and our home. For example, the town of Centreville, Illinois has horrible flooding and sewage overflows due to outdated water infrastructure. Can you imagine living your life fearful of sewage overflowing into your home daily? How about celebrating Christmas with toilet paper in your front yard because the sewer system has backed up yet once again?

Every American has a right to clean water, no matter their zip code, the color of their skin, or the size of their income. Investing in projects that put Americans back to work locally to build better water infrastructure is how we will make that right a reality. Of course, it will take time, given where we are starting from.

Despite the growing need for investments in water infrastructure, the Federal Government's share of capital spending in the water sector actually fell by 63 percent in 1977 to a meager 9 percent in 2017. This pattern must end. Federal, State, and local governments must all chip in and pay their fair share, so that one day, every American can be confident in the water that flows from their taps and from their drinking fountains in their children's schools.

We must increase federal investments in EPA water and

wastewater infrastructure programs in order to modernize our systems. Making systems more efficient, more affordable, and more resilient for generations to come must be a priority.

That is why I am working with Chairman Carper and Ranking Member Capito on a comprehensive drinking water and wastewater infrastructure bill. This bill would increase funding in critical Federal programs, including the State Revolving Loan Funds, WIFIA, lead-reduction grants, sewer overflow control grants, and many other critical initiatives.

I will push for this bill to increase technical assistance funding and create programs or modify existing programs that have lower, non-federal cost shares. I will work to increase grants, rather than loans, so that all communities can receive assistance in protecting their families, and not just those that can afford it.

As the witnesses will testify today, the need is real, and the time is now to address the water infrastructure in this Country. From permanent brain damage to overflowing sewage to costly service interruptions, our constituents are now experiencing the harms that result from allowing our drinking water and wastewater systems to age into a state of disrepair. Our Nation must be willing to invest hundreds of billions of dollars over multiple decades to provide every family access to the most basic human need: clean water.

Modernizing and upgrading water infrastructure must be at the heart of the ongoing build back better efforts, where nothing will be better if we only fix our roads but fail to repair and upgrade the pipes beneath them. As subcommittee chair, I look forward to working with our Ranking Member Lummis to getting a bill to President Biden's desk and to kick-starting a national effort towards a long-term goal of providing families in Illinois and across our Nation clean, safe, and reliable water.

Thank you, Chairman Carper, for making this a priority for the committee, because it absolutely is a priority for me and my home State. With that, I yield back.

[The prepared statement of Senator Duckworth follows:]

Senator Capito. Thank you, Senator Duckworth.

Now I will recognize the Ranking Member of that subcommittee, Senator Lummis from Wyoming.

STATEMENT OF THE HONORABLE CYNTHIA LUMMIS, A UNITED STATES
SENATOR FROM THE STATE OF WYOMING

Senator Lummis. Thank you, and thanks to Chairman Carper. He will be here, I believe, in the flesh soon, and Ranking Member Capito. So nice to be with you this morning. Thanks for convening this hearing.

We welcome our witnesses. Thanks for taking the time to share your views on SRF and water infrastructure with us this morning. I am so pleased to be working with Senator Duckworth. We served together in the House, enjoyed each other's company then. I am sure we will now.

The Lummis family, during the century of the 1800s were at Quincy, Illinois. That was where the family homestead was. At Quincy, Illinois, they had a triage hospital during the Civil War. They would bring the wounded up the river or down the river, whichever case it was, to Quincy, and that was where the family ranch was. We ended up moving farther west later on, but it is nice to be with you again. I am so pleased to be working with you. I am confident that this will be the continuation of a productive relationship in Congress.

As we work together on the important items found in our subcommittee jurisdiction, including topics of drinking water and wastewater infrastructure before us today, proper oversight of the Federal Government and its myriad of programs is one of

the fundamental duties of Congress. So I am hopeful this will be just the first of many oversight hearings in our committee.

Access to clean and safe drinking water, especially during these challenging times, is critical to both public health and restoring our economy. The primary mechanism for financing water infrastructure is from State and local sources, including the collection of user fees. But funding has not kept pace with the growing need to address an aging system. Only 20 percent of very large utilities and 10 percent of small utilities report that they will be able to provide full-cost service in five years.

The EPA's Clean Water, State Revolving Fund, and Drinking Water State Revolving Fund, or SRFs, complement these funding efforts, and do it in a very responsible way. When I was State treasurer, I served on the State Loan and Investment Board. We administer the State Revolving Funds. So in the States, they have tremendous oversight, and the capability of them leveraging further projects, which I think is the ideal way for the Federal Government to distribute funding.

Most of our Nation's drinking water and wastewater utilities are small. Over 90 percent of the Country's roughly 50,000 community water systems serve populations fewer than 10,000 people. Roughly 80 percent of America's 17,000 wastewater utilities serve populations fewer than 10,000 people.

Rural and small communities, like many found in my State of Wyoming, have greater difficulty affording public wastewater service due to low population density and lack of economies of scale.

Rural communities also have lower average median household incomes and often have higher rates of poverty, only compounding the challenge. It follows, then, that rural water and wastewater services have a more difficult time complying with Clean Water Act and Safe Drinking Water Act regulations and permits. You have mentioned, Senator Duckworth, that this is an issue in your State of Illinois, as well.

Large communities often have extensive teams of experts, including highly trained operators, engineers, and chemists, while smaller communities face the regulatory burdens of the same complex systems, albeit smaller in scale. They often have only one operator doing multiple jobs. This is very typical in my State. These factors reinforce the need for increased flexibility and relief for these communities.

This past week, Wyoming faced some challenging weather. I missed two days here because I couldn't make it back. I couldn't even get to my house on the ranch in Cheyenne. I had to stay in town and dig out, just to get to the streets. We had between 31 and 55 inches of snow. It was tremendous.

Mark Pepper, the executive director of the Wyoming

Association of Rural Water Systems, shared with my office some of the work he and his team had to do to make sure water continued to flow to our residents during this storm. One of his recent emails to one of my staffers reads as follows:

"Again, sorry for the delay. We have been working on a system that had a tank mixer, which circulates water to prevent ice or freeze buildup, experience a power failure on a 300,000-gallon tank on a 100-foot pedestal. I am finally starting to unthaw. We had to take the tank offline and switch to using pumps to supply water to residents.

Fortunately, no water quality or quantity issues, or EPA Safe Drinking Water Act actions for now. But the tank damage is such that it will be a few days to make repairs sufficient to come back online and fix it permanently. We had to drain the tank by breaking through the ice shield, use a submersible heat pump to get the flow going, and then get it drained to inspect the damage. Did all this while 100 feet off the ground, harnessed and tethered to the tank."

By the way, he wanted everybody to know that he did it in a completely OSHA-compliant way.

[Laughter.]

Senator Lummis. This is just one small example of the work rural water systems are doing in challenging conditions. I appreciate the work that Mark and others do, particularly in our

small and rural communities, to keep our water supplies secure.

I am anxious to learn from our witnesses how these EPA water programs can be improved to make the job of our providers and servicers even easier.

Welcome back, in the flesh, Mr. Chairman. We appreciated your remarks while you were still on the train, and Mr. Chairman, I yield back.

[The prepared statement of Senator Lummis follows:]

Senator Capen. [Presiding.] Good morning. Good morning, everyone. A lovely morning. Today is St. Patrick's Day. The luck of the Irish.

On this day, Joe Biden decided to be back in Delaware and attend mass at St. Patrick's Cathedral, which is right on my way to the train station. The City of Wilmington Police, I think every police officer and police car in Wilmington were literally on the streets of Wilmington, blocking traffic everywhere, including to the train station.

I should have stopped and had mass. Jim Inhofe and I go to Bible study with a bunch of our colleagues, Democrat and Republican colleagues, most Thursdays. A week or two ago, Barry Black, our chaplain, said these words to us. He says, when God closes a door, he opens a window. In this case, the window was Zoom, and it actually works on a train, which I had no idea, so I can just stop coming to hearings. We will just do it on a train.

But the luck of the Irish worked, and I am happy to be here with all of you. I apologize.

Senator Duckworth. I hope you weren't on the quiet car, Mr. Chairman.

Senator Carper. I was not.

[Laughter.]

Senator Carper. I went all the way to the front car, the

front car, and there weren't many people up there, so I had perfect quiet, and it worked. So thank you all for holding everybody together. Senator Capito, thank you for your statement, and Senator Duckworth and Senator Lummis also for yours.

We are now going to move to our witnesses. I want to thank Kishia Powell for joining us this morning. Ms. Powell is the Chief Operating Officer of DC Water and Vice President of the National Association of Clean Water Agencies. We appreciate your taking the time to join us today

Senator Inhofe, I believe you would like to introduce Ms. Chard. Shellie Chard, who hails from Oklahoma. Take it away, please.

Senator Inhofe. Thank you very much, Mr. Chairman. I am real proud to have Shellie Chard here. She is a 1992 graduate of the University of Oklahoma, with a bachelor's degree in chemical engineering and biotechnology. She has 29 years of experience implementing the Clean Water Act and Safe Drinking Water Act, comparable State statutes and operator certificate programs.

She served as an officer for and on the board of directors of organizations like Water Environment Federation, Association of Clean Water Administrators, Association of State Drinking Water Administrators, Ground Water Protection, and many, many

others.

Now, Shellie, in case this sounds familiar to you, this introduction, this is exactly the introduction I gave you 10 years ago, and in using the same words.

At that time, that was a big issue. Republicans were a minority. It was during the Obama Administration, and of course, there was a tendency to try to get things more toward the Federal Government at that time.

The big issue of the day among the Ag community was the WOTUS bill, trying to get the regulation from the States to the Federal Government, something that we disagreed with. You did a great job at that time witnessing, and I am sure you will do the same thing today.

Since that time, you have gone on to become President of the Association of Safe Drinking Water Administrators and the Association of Clean Water Administrators. You are an incredible lifelong Oklahoman who has worked tirelessly to find creative ways to implement our federal and State water programs. It is safe to say that you probably know more about this than anyone up here at this table. We welcome you to testify today.

Senator Carper. That is damning with faint praise, for the record. Actually, we have learned a few things over the years.

Shellie, we thank you for joining us. Thank you, Senator Inhofe, for introducing her.

Next, let me recognize again Senator Capito, who is going to introduce another of our witnesses, the General Manager of the Utility Board in Morgantown, West Virginia.

Senator Capito. Thank you, Senator Carper. The two Shelleys; I am getting mixed up here. I don't know which Shelley we are taking about.

Senator Carper. We can never have enough.

Senator Capito. I am glad to have another Shelley, yes.

I am really happy that Mike McNulty is here. We are very good friends, and he has more than 30 years of experience in West Virginia's water industry.

He is currently now the General Manager of the Morgantown Utility Board in West Virginia. He has been there since October of 2020. He started his career at the Public Service Commission in West Virginia, and then went to the Logan County Public Service District.

In 2001, he moved to the West Virginia Rural Water Association, where I had a lot of, as we all do, talk to our rural water associations on their visits when they used to come. So I miss seeing Mike in person. He was the executive director there. Then he spent time as the general manager of the Putnam County Public Service District, which is actually a regional district.

Mike is not a stranger to this committee, much like Senator

Inhofe's witness. During his time at the Public Service District in Putnam, he appeared before this Water and Wildlife Subcommittee to discuss the Elk River chemical spill that left 300,000 people in southern West Virginia, of which I was one, without clean water for several days, and actually some people for several weeks.

He has a master's of science in public administration from Marshall and a bachelor's degree in mechanical engineering from West Virginia University Institute of Technology. Mike, thank you for joining us here today. He will give us some great insights, and I thank you for the opportunity to introduce him.

Thank you, Mr. Chair.

Senator Carper. Did you say Marshall?

Senator Capito. Marshall.

Senator Carper. Marshall. We are Marshall?

Senator Capito. We are Marshall.

Senator Carper. We are Marshall. My sister is a graduate of there, and the bursar or assistant bursar is my cousin, Bob Collier. So we love Marshall.

Michael, welcome. We have a couple of Michael McNultys in Delaware as well, so whichever one you are. Maybe you are related to one of ours; you never know.

Thank you very much for joining us, and Senator Capito, thank you for introducing him.

Next, I want to welcome Nathan Ohle, the Chief Executive Officer of the Rural Community Assistance Partnership, Mr. Ohle, thank you for joining us.

I think with that, I think we can go to our statements. We are going to lead off with Ms. Powell, and we will start with you. You will be recognized for roughly five minutes, then we will hear from the other witnesses, and then we will ask some questions. You are our lead-off hitter, and batter up. Go ahead. Play ball. Thanks. Welcome.

STATEMENT OF KISHIA POWELL, CHIEF OPERATING OFFICER AND
EXECUTIVE VICE PRESIDENT, DC WATER

Ms. Powell. Good morning, and thank you Chairman Carper, Ranking Member Capito, and all members of the committee for the invitation to testify before you on the urgent and growing need for increased federal investment in water infrastructure.

My name is Kisha Powell, and I am the Chief Operating Officer of DC Water, responsible for providing drinking water and wastewater services to over 672,000 residents, schools, and businesses across Washington, D.C., and wastewater treatment service for 1.6 million people in neighboring counties of Maryland and Virginia.

Serving as Vice President of the National Association of Clean Water Agencies, or NACWA, I am honored to testify on behalf of NACWA and more than 330 public clean water utilities we represent nationwide. For over 50 years, NACWA has represented publicly owned clean water utilities whose mission is to ensure that the communities they serve have access to safe, reliable, and affordable clean water services while also ensuring the highest level of public health and environmental protections. As part of that mission, NACWA has long advocated for the Federal Government to recommit to a full and long-term partnership with local communities to invest in and build critical water infrastructure.

I bring a clear message today. Now, more than ever, the Nation's public clean water utilities need a significant increase in federal clean water investment. The current federal share of water infrastructure funding nationwide is less than 5 percent, leaving our ratepayers to cover 95 percent of the financial burden.

In my time as the Public Works Director for Jackson, Mississippi, I recall finding it unacceptable that we could fill potholes with grant funding, but we were forced to take out an emergency loan to address a public health issue when the lead action level was exceeded.

Public clean water utilities are at a tipping point. Already faced with the challenge of maintaining and replacing aging infrastructure, grappling with the impacts of climate change on our most vulnerable communities, and spending billions to meet our compliance obligations, the COVID-19 pandemic has exacerbated the financial strain for many clean water utilities as arrearages have grown to an estimated \$8.7 billion in revenue losses. Like DC Water, most utilities have raised rates for years to meet the compliance obligations of the Federal Clean Water and Safe Drinking Water Acts.

It must be recognized that if it is important for the Federal Government to regulate, it is equally important to provide funding to meet these increasingly stringent

requirements. For the burden from this disparity is often borne by households of color and contributes to an increasingly acute environmental justice challenge.

For several years, DC Water has been at the forefront of meeting these challenges. Even as the income gap widens among our ratepayers, we are still investing in needed upgrades to our aging infrastructure to achieve intergenerational equity and meet our compliance obligations. At the heart of these efforts is the Authority's D.C. Clean Rivers Program, and a \$2.7 billion infrastructure program designed to capture and clean wastewater during rainfalls before it ever reaches local waterways.

The program's investments are on track to deliver a 96 percent reduction in system-wide combined sewer overflow volume, one million pounds of nitrogen reduction to the Chesapeake Bay, and an economic impact of 41,850 jobs over the life of the program, to name a few benefits.

NACWA believes that increased funding for key existing federal programs like the Clean Water State Revolving Fund, Sewer Overflow and Stormwater Reuse Municipal Grants, and WIFIA is critically important. NACWA calls on Congress to provide a substantial amount of funding for the water sector, at least on par with other essential infrastructure sectors, in any upcoming infrastructure package and to make more funding available as grants.

NACWA also urges establishment of a permanent Federal Low Income Water Assistance Program to aid vulnerable household in paying for water and wastewater services more affordably. We appreciate the initial funding of this program through the COVID-19 relief packages, but more must be done to ensure that grandmothers on a fixed income, single parent households struggling to make ends meet, or the family who has now seen a recent job loss due to the pandemic are not forced to choose between safe drinking water and clean water services or staying in their home.

As our Country looks to rebound from the pandemic, put people to work and build stronger, healthier communities, NACWA calls on Congress to make a strong commitment to reinvesting in water infrastructure. Congress has an opportunity to turn a generational problem into a multi-generational solution.

This concludes my testimony. I would be happy to answer any questions the committee may have.

[The prepared statement of Ms. Powell follows:]

Senator Carper. All right, Ms. Powell. Thanks for that opening statement.

Next is Ms. Chard. You are recognized at this time, please proceed. Thank you.

STATEMENT OF SHELLIE R. CHARD, DIRECTOR OF THE WATER QUALITY
DIVISION, OKLAHOMA DEPARTMENT OF ENVIRONMENTAL QUALITY

Ms. Chard. Good morning Chairman Carper, Ranking Member Capito, Subcommittee Chairwoman Duckworth, and Subcommittee Ranking Member Lummis, and all members of the committee. Thank you for this opportunity to appear before you and discuss how we can best address the protection of public health through increased infrastructure funding and through the collaborative partnerships among the States, tribes, territories, and the Federal Government in implementing water programs.

My name is Shellie Chard, and I am the current past-president of the Association of State Drinking Water Administrators whose 57 members include the 50 States, five territorial programs, the District of Columbia, and the Navajo Nation. Our members have primary authority for implementing the Safe Drinking Water Act and are on the front lines every day providing technical assistance, support, and oversight of drinking water systems, which are critically important to ensure safe drinking water and protecting public health in our Country.

Also, I am the Water Quality Division Director of the Oklahoma Department of Environmental Quality, where I oversee the drinking water, wastewater, stormwater, operator certification and training programs and water reuse programs. Additionally, I serve on the Board of Trustees for the Water

Environment Federation, the Board of Directors for Groundwater Protection Council, the National Drinking Water Advisory Council, and have previously served as the President of the Association of Safe Drinking Water Administrators. Today, I will address ASDWA's perspective on challenges facing drinking water and my own experiences on the challenges facing drinking water and wastewater infrastructure.

If there is anything we have learned this past year, and it is really a re-learning of what we have always known, it is that water is life. The provision of safe water is essential to protecting public health as we continue to fight the COVID pandemic serving as a stark reminder of how vulnerable people without access to clean water are to COVID and other illnesses.

In the wake of this public health crisis, many systems halted water shutoffs for non-payment as customers struggled to pay their bills amid significant unemployment across the Country. These decisions, which were made in the best interest of public health, have real financial impacts. In California alone, it is estimated that there are 1.6 million households with a combined water debt of around a billion dollars, billion with a B, due to the pandemic.

Water systems are still bearing the cost to treat and deliver safe water without being able to recuperate their costs. The devastating February winter storm that plunged much of the

U.S. into record-breaking cold weather serves as a reminder of a different kind. Water and wastewater systems must become more resilient to significant weather events and changes in climate. Water and wastewater systems are facing an increasing number of significant weather events, including wildfires, ice storms, flooding, hurricanes, and drought.

These systems often operate out of sight and out of mind, and only garner attention when there is a failure. The recent winter storm showed all of us the very real consequences to these facilities. Building more resilient and adaptable water infrastructure is essential to ensuring a safe future.

Considering the entire water cycle is important, and I really want to emphasize the word cycle. The U.S. bifurcates water management between the Clean Water Act and Safe Drinking Water Act, but it really is all one water. Treatment and wastewater systems impact the water quality of the downstream drinking water, and drinking water treatment impacts wastewater treatment reused in our surface water bodies.

It is critical that we have strong federal funding through drinking water and clean water State Revolving Funds and continue to emphasize at the federal, State, and local levels the importance of holistic water management. As State water programs prepare for the new lead and copper rule, take on PFAS sampling and treatment, upgrade cyber security, and work toward

resiliency, there is one piece of infrastructure that is often forgotten, and that is the human infrastructure that it takes to provide safe water.

The water sector is facing substantial workforce replacement needs at every level. The aging workforce and high rate of retirement in the sector are placing pressures on utilities to find the next generation of workers. This means more training is needed for water system operators and managers, as well as State and federal regulators.

These training programs through community colleges, vocational schools, correctional facilities, and apprenticeship programs in coordination with the Department of Commerce, are helping to bridge this gap, but funding is needed. Ultimately, increased Federal funds through existing programs like the SRF and the State and Tribal Assistance Grants, which funds water programs, are needed to protect public health.

State programs and water and wastewater systems are struggling to meet the challenges we are now facing, including changing weather patterns, resulting in extreme events, aging infrastructure, increased Federal regulatory standards, and addressing unregulated contaminants. Without continued federal funding for States and water and wastewater systems, we will all continue to struggle with public health.

Thank you for the opportunity to be here before you today,

and I look forward to the continued dialogue and the importance of infrastructure funding. Thank you.

[The prepared statement of Ms. Chard follows:]

Senator Carper. Ms. Chard, can you hear me?

Ms. Chard. Yes, sir.

Senator Carper. Where are you this morning?

Ms. Chard. Good, thank you.

Senator Carper. No, where?

Ms. Chard. I am in Oklahoma City, at my office.

Senator Carper. Oklahoma City. Very nice, thank you.

All right. Jim, thanks for introducing her the second time. You said last time was 10 years ago?

Ms. Chard. The last time I was before this committee was 10 years ago.

Senator Carper. All right, Michael McNulty, are you out there somewhere, maybe even in Morgantown? Where are you, Michael?

Mr. McNulty. Good morning. Yes, I am in Morgantown this morning.

Senator Carper. Morning Morgantown. That is a great song.

Mr. McNulty. And I was in Beckley over the weekend.

Senator Carper. Were you in Beckley, where I was born? That is great. It is like a home game. Thank you for joining us, Michael. Good to hear from you. Take it away.

STATEMENT OF MICHAEL MCNULTY, GENERAL MANAGER, MORGANTOWN
UTILITY BOARD

Mr. McNulty. Thank you.

Good morning Chairman Carper, Ranking Member Capito, and members of the committee. Thank you for the opportunity to discuss our Nation's water and wastewater utilities. From the onset of the COVID-19 pandemic, there have been three primary messages: wear a mask, social distance, and wash your hands.

I respectfully draw your attention to the last part: wash your hands. Thanks to the work of trained operators at more than 148,000 active water systems across this great Country of ours, safe reliable water is available. Thanks to our Nation's more than 16,000 publicly owned wastewater treatment systems, the 82 gallons of water each American uses a day is safely treated. Thanks to tens of thousands of maintenance staff, it is reliably transported.

The fact is, our Nation's water and wastewater professionals are so efficient, they are easy to overlook. When people turn on a faucet, safe water flows. When they flush a toilet, the waste is removed and treated. Not a second thought is given to how these systems work.

However, beneath the surface of all this wonderfully orchestrated engineering and science, an unseen crisis brews. According to the American Society of Civil Engineers' 2021

report card on America's infrastructure, utilities were replacing, on average, one half of 1 percent of aged water pipes per year in 2015. By 2019, this percentage increased to as much as 4.8 percent, a reflection of aging infrastructure.

The same applies to the sewer side. While much of the wastewater infrastructure was constructed in the 1970s with passage of the Clean Water Act in 1972, when constructed, the lifespan of these systems was 40 to 50 years. Today, we are at the end of that lifespan, and the systems are in need of upgrading.

On top of this, we have increasingly stringent regulatory compliance obligations. Although I am not here to discuss this specifically, increased regulation results in increased compliance costs. These are very real dollars that ratepayers must bear.

When combined with required upgrades, investment, and raw water protection, and enhanced draw and treated water monitoring, the pressure on ratepayers intensifies. Affordability, especially among vulnerable populations, is a very real issue. This is certainly true given the financial ramifications of the pandemic.

Then there is the fact that 50 percent of the workforce within our industry will retire in the coming decade. This is something we are very much aware of at the Morgantown Utility

Board. Within the last month, we have lost more than 150 years of experience due to retirement, with more on the way. Going back 12 months, we have easily lost more than 300 years of experience.

While these challenges apply to all sizes of water and sewer utilities, they are particularly relevant to rural systems. According to the American Society of Civil Engineers, just 9 percent of all community water systems serve over 257 million people, while the bulk of community systems serve communities with populations under 10,000. The utilities not only struggle to maintain their systems, but have fewer customers per mile of pipeline to share costs. We see this in West Virginia, where some communities have been without safe drinking water for years, while others struggle to provide waste disposal.

If you are looking for answers, I can tell you that the complex array of funding mechanisms that exist will not solve the problem. For example, expending funds to improve a system that lacks professionally trained support staff is not a long-term solution. Yes, we do need extremely low cost to no interest loans, grants, and even debt forgiveness to upgrade our water and wastewater infrastructure, but we also need direct grants to recruit, train, and retain professional level staff.

To encourage the merger of smaller systems to better share

costs, we need incentives, rather than heavy-handed regulations. Rural utilities need the ability to apply funds to meet their unique set of circumstances and not a one-size-fits-all approach.

Certainly, we can all agree that no child should go thirsty or unbathed because a parent cannot afford the water or sewer bill. We can all agree that no senior citizen should have to choose between buying their medications or paying a utility bill, and we can all agree that no American should turn on a faucet and wonder if the water coming out of it is safe.

Again, thank you for your time and for addressing this very important issue.

[The prepared statement of Mr. McNulty follows:]

Senator Carper. Michael, thanks so much. Great to see and hear from you.

Next is our fourth and final witness. Mr. Ohle, we are thrilled that you have joined us. Please proceed, and then we will have some questions. Thanks.

STATEMENT OF NATHAN OHLE, CHIEF EXECUTIVE OFFICER, RURAL
COMMUNITY ASSISTANCE PROGRAM

Mr. Ohle. Thank you, Chairman Carper, Ranking Member Capito, Subcommittee Chair Duckworth, Subcommittee Ranking Member Lummis, and members of the committee for this opportunity to address the needs of water systems in small, rural, and tribal communities.

My name is Nathan Ohle, and I am the CEO of the Rural Community Assistance Partnership. RCAP is a national network of non-profit partners working to provide technical assistance, training, and resources to rural and tribal communities in every State, territory, and on tribal lands. Through our regional partners, more than 300 technical assistance providers build capacity that leads to sustainable and resilient water and wastewater systems. Our approach is grounded in long-term, trusted relationships with thousands of rural and tribal communities across the Country.

Last year, RCAP served more than 3.4 million rural and tribal residents and more than 2,000 of the smallest, most distressed communities across the Country. The average population of the communities we served was 1,500, with a median household income of half the national average. We served more than 40 percent of America's persistent poverty counties and almost 300,000 individuals from indigenous communities.

In addition, with people of color representing 21 percent of the rural population and 83 percent of rural population growth, we support a rural America that is increasingly diverse.

The talent, innovation, and resiliency of America's rural areas will play a central role in the future of the U.S. economy. Water is a driving factor for economic growth. Of the approximately 150,000 public water systems across the Country, 97 percent serve communities of 10,000 or less, and 72 percent serve communities of 500 or less.

COVID-19 has further exacerbated the challenges rural communities face, as they had not yet fully recovered from the 2008 recession. To better understand the pandemic's impact on rural and tribal systems, RCAP conducted a survey in May of 2020. The responses we received were startling: more than 31 percent of systems estimated that they would not be able to continue to cover all costs for more than six months, due to an estimated revenue loss of between \$3.6 billion and \$5.5 billion for small systems.

Perhaps even more alarming, more than 43 percent of systems surveyed said they rely on one full-time operator or less, leaving many communities at risk if their operator fell ill.

With these mounting financial losses, many communities were forced to defer infrastructure projects, adding to the more than \$1 trillion in needed updates for the water sector over the next

25 years, according to EPA. This burden largely falls on communities. Federal funding for water infrastructure is a paltry 3.5 percent of annual investment in the sector, down from 63 percent 50 years ago.

Funding is incredibly important, but in small communities, it is not enough. Technical assistance is needed to build and strengthen local capacity to take on these challenges. The recent work of the committee has been extremely beneficial to the communities we serve. Last Congress, EPW produced two drinking water and wastewater infrastructure bill, DWIA 2020 and AWIA 2020, which included several important policies.

DWIA 2020 reauthorized a program that allows for up to 2 percent of the Drinking Water SRF for TA and extended TA to EPA's Small and Disadvantaged Communities Grant Program. DWIA 2020 also extended the EPA's National Priority Area Technical Assistance Program to communities that are facing an imminent threat to public health and allowed nonprofits like RCAP to provide TA to schools and childcare facilities to ensure that water is safe for every child.

One major unexpected emergency can leave small utilities financially distressed. With a small base of ratepayers, loans may not work for these communities. DWIA 2020 requires States to use 20 percent of the Drinking Water SRFs for grants, negative interest loans, or to refinance debt.

AWIA 2020 also included several TA provisions, creating the circuit rider programs to assist small systems and grant programs to improve efficiencies at small utilities and to address emergency response plans and risk and resiliency assessments.

Some people in rural communities are not connected to any wastewater system, resulting in raw sewage in yards and waterways, contaminated drinking water for residents, and chronic debilitating diseases like hookworm. Challenges like this can trap people in a vicious cycle of poverty. I want to thank Senators Capito, Booker, and former Senator Jones for the introduction of a bill that would create a grant program to address these challenges, and I commend the committee for including it in AWIA 2020.

Finally, one priority for rural communities did not make it into DWIA or AWIA: the creation of a low-income water customer assistance program. According to most recent estimates, the non-metro poverty rate was 16.1 percent, much higher than in metro areas. Further, counties experiencing long-term poverty are almost exclusively rural.

We have assistance programs for low-income Americans for food, shelter, heat, and health care. There is no such program for water. I thank Senators Cardin and Wicker for introducing bipartisan and bicameral legislation last Congress that would

pilot such a program and urge the committee to create a program to solve this problem once and for all.

RCAP works with communities and partners across the Country to advocate for and generate economic opportunities for rural areas. The services provided through these programs deliver critical assistance in the small and disadvantaged communities where it is most needed.

I thank the committee for inviting me to testify today, and I look forward to working with you and your colleagues to ensure these important priorities are passed into law. Thank you.

[The prepared statement of Mr. Ohle follows:]

Senator Carper. Mr. Ohle, thanks so much for batting cleanup for us.

My staff has just given me, Senator Capito has just given me a list of order for questioning. I am listed first, and I am going to yield to you, and I will ask questions later.

Senator Duckworth is next; Senator Lummis is next. Ben Cardin, I think, is going to join us by WebEx, and Senator Inhofe, I think is going to take the hand off from Senator Capito. Also joining us by WebEx is Senator Stabenow. It is a brave new world in terms of hearings, isn't it?

All right, Senator Capito, are you going to yield to this guy from Oklahoma?

Senator Capito. Yes. Thank you, Mr. Chairman. I yield my first place here, or second place, to Senator Inhofe.

Senator Inhofe. Mr. Chairman, I appreciate it. Something happened that doesn't happen very often, and I want to compliment you and Ms. Capito on the fact that we have witnesses, all were really well-informed and well-qualified because they all, each one, stayed within five minutes. That never happens.

[Laughter.]

Senator Inhofe. I just appreciate that very, very much.

Ms. Chard, in your testimony, you note how the EPA should, and I emphasize should, consider the size of water systems when

establishing regulations. The reality is that additional regulations only create, often, unsustainable burdens on our small, rural, and disadvantaged systems as a result of financial limitations and geography.

So Ms. Chard, should national regulations take into account the varying capabilities of the water systems, and are they doing that now?

Ms. Chard. Thank you, Senator Inhofe. That is a tough one, for all of us. We don't want to establish a two- or three-tier protection level, the haves and the have-nots, but we do have to recognize that small systems have a different capacity to comply.

We have seen the disinfection byproducts rule. There was stage one, which applied to the larger systems and then brought in the smaller systems in stage two. That gave the smaller systems additional time to develop the expertise to obtain funding to try to install technologies. It is really important that we look at the development of cost-effective and efficient technologies that small systems can one, afford, but two, have the technical capabilities to operate.

We need to make sure that we are providing appropriate workforce training and technical assistance training and sampling assistance training for the smaller, often very rural systems. We talk about the benefits of other programs, where we

can come in through capacity development and work with those systems on their technical, financial, and managerial capabilities. Those take lesser funds to actually implement.

But any time we see expanding regulatory provisions, we have to recognize that there are going to be struggles for small systems in order to comply, not only the cost, but the technical capabilities, as well.

Senator Inhofe. So you think there is room for improvement?

Ms. Chard. Oh, I definitely think there is room for improvement in the regulations. As somebody who is involved in writing them, I know we can do better. There is definitely room for improvement in operations. We can help systems get better trained. We can definitely improve the amount of funding that we dedicate to small systems.

In Oklahoma, we are very fortunate that we are able to work with our tribal partners and other non-traditional partners in solving region-wide drinking water and wastewater programs and problems.

Senator Inhofe. On regulations, I agree with you. There are some problems. I remember, last March, in response to the coronavirus pandemic, States issued stay-at-home orders and distance guidelines and all the guidelines that we are so familiar with now. During that time, last March, due to the

coronavirus, the EPA announced it temporarily, and I stress temporarily, because that is what they did, they relaxed certain penalties for non-compliance of routine environmental reporting and monitored requirements.

Because of that, Gina McCarthy, who is now President Biden's domestic climate czar, called the move an open license to pollute. I don't think it did, and maybe we learned some lessons from that action. I would like to get your response. Did you observe any increased water pollution in Oklahoma as a result of relaxing some of these regulations?

Ms. Chard. In Oklahoma, the answer is a resounding no, we did not. The State actually took a similar action prior to the EPA action. Really what it did was not change compliance and not change requirements, it just added a mitigating factor that could be considered if a penalty were assessed.

In Oklahoma, we had four or five requests for mitigation or to consider COVID-19 because of a violation. But the violations were not actually permit limit violations or National Drinking Water Standard violations. It was, samples were not analyzed within the holding time, or were not collected in time.

That was a result of people being ill and being unable to collect those samples or, in many cases, outside the system's control. It was at a laboratory facility. So we were able to work with those systems, and we did not see significant issues.

Senator Inhofe. I remember making some phone calls at that time and observing that we did a good, by and large, States do a great job at regulation. That is a good point.

Thank you, Mr. Chair.

Senator Carper. You bet. Thank you very much for asking those questions, and Senator Capito, thank you for yielding.

I think we are going to bounce over to Senator Duckworth next, and thank you for your leadership on these issues and leading our subcommittee that has jurisdiction over many of them. Thank you very, very much. You are recognized.

Senator Duckworth. Thank you, Mr. Chairman.

This question is for all the witnesses. During the COVID-19 pandemic, many people experienced total water shutoff as they struggled to pay the bills. To protect families during a deadly public health crisis, Illinois and other States took the lead in implementing shutoff moratoriums to prevent water utilities from shutting off water service. This action was absolutely essential in protecting households in the near-term.

However, over the long-term, additional action will be required to protect consumers from sharp rate hikes down the road and to ensure water systems have sufficient capital for modernization projects. I don't want to downplay the magnitude of the challenges that we face. The total water debt resulting from the pandemic easily exceeds a billion dollars nationwide.

However, I am confident that our Nation can avert a national water debt crisis if we start taking action now. As every witness is familiar with the daunting challenge of balancing water affordability and upgrades, my question is for the entire panel. What actions should we take at the federal, State, and local levels to protect consumers while also ensuring utilities have sufficient capital to make long-term investments in water systems infrastructure? Perhaps you can answer in the order that you made your statements. Thank you.

Ms. Powell. Thank you for the question, Senator Duckworth.

I do want to start out by saying that I started, when the pandemic was declared, I was commissioner in Atlanta and then transitioned to DC Water in May. In both cases, we not only stopped shutting off water, but we reconnected customers that were in shutoff status at DC Water, restoring service to more than 300 customers.

To your question, I think what we are trying to do specifically at DC Water is make sure that all of our customers who have fallen into arrears are connected with every dollar of assistance that is available. That includes assistance under our customer assistance programs. We have just developed a new customer assistance program that is designed to help renters and multi-family units, and we are looking to develop another. Then we will be taking advantage of the funding that was included in

the COVID relief package that will flow through HHS to provide some funding assistance as well.

I just think that it is very important that not only do we have the money, particularly through the low-income water assistance program, and we need to see more funding there, but not only do we have to have money to support customers that fall into arrears, but it is important for us to have funding and more funding in terms of grants for the utilities to do that critical infrastructure work that you spoke of. If we don't have more grant funding, specifically, then we are forced to have to pass on repayment of loans to our ratepayers, which exacerbates the issue that they have, the affordability issue they have.

Senator Duckworth. Thank you. Ms. Chard?

Ms. Chard. I can't disagree with anything that Ms. Powell had to say. It is a big issue, critically important. It is vital if we can help our systems with recovering these costs. They are still paying to treat water and deliver water to individuals, so anything that Congress can do to help support those systems, that would be fantastic. They are accruing debt at a fast rate, and they are not able to recover that debt, and then that, in turn creates a problem for them in doing routine operation and maintenance, and each expansion or major construction.

Senator Duckworth. Thank you.

Mr. Ohle, do you want to speak to that, as well as the grants versus loans from the Federal Government? Thank you.

Mr. Ohle. I would love to. Thank you very much, Senator Duckworth. I think there are two things we need to do when considering these issues.

First and foremost is address those low-income individuals and families that can't afford these bills. So the first piece is really that low-income assistance program that we have talked about that you have heard several of us mention. There is actually an \$8 billion need for that program. So we have got a great start in putting that program in place, but there is significant additional funding that is needed.

There is also a need to help utilities and systems at the same time, just as you heard Ms. Powell talk about. There was a program called the Emergency Assistance for Rural Water Systems Act that was a potential opportunity to do just that. What it does is it addresses the O&M, the operations and maintenance costs that systems have been undergoing over the past year that they haven't been able to recoup through bills and ratepayers. It addresses the long-term needs of these communities and certainly of those utilities, but also then ensures that long-term infrastructure bills aren't a future deficit onto these communities and to those families.

Senator Duckworth. Thank you. I yield back, Mr. Chairman.

Senator Carper. Thanks so much. Senator Capito has another hearing to get to, so she is going to go next, and she will be followed by -- this is the current order, it could always change, given today what has happened already, it will probably change. Senator Capito, followed by Senator Cardin, followed by Senator Boozman, who is here. Welcome, John. Followed by Senator Stabenow on WebEx. Senator Capito, please proceed.

Senator Capito. Thank you, Mr. Chairman.

I would like to direct my first question to Mr. McNulty. In everybody's testimony, they talked about workforce development and the needs of the systems to replenish their workforce. I worked, in 2018, with Senator Booker on this committee to draft and enact our legislation, actually establishing an EPA workforce development that is in high demand, I understand. I understand it is oversubscribed. Ms. Powell thanked me here in person.

Mr. McNulty, if you could, what are the chief challenges facing your workforce? Is it retirement, retention, lack of interest, lack of qualified candidates? Can you expound on that for me, please?

Mr. McNulty. Senator, I think the best answer would be D, all of the above. Retirements are certainly upon us. It is

tough to recruit good candidates. So we do struggle with that here, especially in West Virginia.

Let's not forget that many rural communities are still dealing with the opioid crisis. It is sometimes difficult to find good, qualified candidates that don't have substance abuse issues. So we appreciate all of Congress's work to help with that problem.

But also we are working towards here in West Virginia the apprenticeship program. I think that it is going to be a very successful program. I know that West Virginia Rural Water is getting that kickstarted, and we really look forward to the availability of bringing young folks in to learn the business and to become qualified operators.

Senator Capito. Thank you.

Ms. Powell, did you want to speak to that?

Ms. Powell. I certainly can, Senator Capito, and I agree with my colleague. It is all of the above, and we have to, as a water sector, do a better job about promoting the opportunities that exist to work in the water sector. I think we employ every type of career field there is, from finance to scientists to the boots-on-the-ground workers. So we have to do a better job of getting the messages out.

But we have also, as a water sector, started to pursue different means of recruiting talent. If the talent doesn't

come to you, you go out and get it. That is certainly what we did in Atlanta when we formed a partnership with the Department of Corrections to put folks that were re-entering society, fathers, put them to work as watershed trainees, who then eventually became full-time employees of the utility. We were able to do two co-courses [indiscernible].

We also formed a partnership for youth, and we also formed a partnership focused on women who were victims of trafficking. So I think those types of programs, which are supported by the grant funding program that you champion, are important because it is introducing folks that wouldn't otherwise look at the sector to opportunities for good career paths, low barrier to entry jobs, and stable work with good wages.

Senator Capito. All right, thank you.

On the resiliency and data availability, actually on the data availability, I mentioned in my opening statement that sometimes the data, we want to pinpoint the help where the need is most apparent.

Mr. McNulty, I am going to ask two questions, but you can pick. Can you provide your perspective on the best way to ensure that this committee has a working understanding of the current, existing challenges and associated needs facing your systems? Also, how would you propose that we would improve the data available to EPA, Congress, and other stakeholders to make

sure that we are targeting and using that for our policy decisions?

Mr. McNulty. I believe the best way to learn about the challenges that we are facing is boots on the ground, Senator. I think visits out to the utilities are critical. I know that you have been all around West Virginia, you have done that. You have been to these communities and have seen first-hand. I think that the more, the better, in that respect, and that is how Congress is really going to learn what those needs are.

I can't stress enough when we talk about need, when I mentioned a moment ago about debt forgiveness. Debt is one of the heaviest burdens that utilities face. When we talk about the pandemic and the shutoffs and those revenue drops, the debt services didn't stop. Those payments were still due, so I think that, again, if we get out and visit and learn and talk to those water and wastewater professionals, that is the best way to understand the need.

Senator Capito. Thank you. Thank you, Mr. Chair.

Senator Carper. Senator Capito, thanks very much, and thanks so much for holding the fort down until I could get here. See you later on the Floor.

We have a vote that has been announced. I think it is going to start in about 10 minutes. What I would like to do is go ahead and complete hearing from our witnesses and the

question and answer period that we are doing now. In the queue, we have Senator Cardin, I think by WebEx. Ben is the chairman of the Transportation and Infrastructure Subcommittee. He will be followed by Senator Boozman, and then by WebEx, Senator Stabenow.

So, Senator Cardin, Senator Boozman, Senator Stabenow. If no one else has shown up, then I will ask some questions myself. Senator Cardin?

Senator Cardin. Mr. Chairman, thank you very much. I appreciate this hearing. This is critically important.

Mr. Ohle, I want to follow up on your point. Thank you for mentioning the legislation that Senator Wicker and I have filed, bipartisan legislation that deals with affordability. It is a double-edged problem, because generally, in poorer neighborhoods, the rates are just not an option to increase the rate cost in order to deal with the infrastructure needs.

So you have the issue of affordability because of the income level of the person who has to pay the water bill, and then you have the community's capacity in order to do the infrastructure to bring the water up to the quality that is needed. Then, you put on top of that that the WIFIA Program and the State Revolving Fund Programs are oversubscribed, and additional debt is not always an option, because again, it comes back on the rate system itself.

Can you just share with us your thoughts? I appreciate the legislation you referred to as it deals with the consumer. But are there other areas that we can target the aid to deal with economic justice issues for underserved communities, so they can get safe drinking water?

Mr. Ohle. Thank you very much for the question, Senator Cardin, and thank you for continuing to be a consummate champion of these issues. I think what you have hit on is incredibly important. Affordability is a big piece of this puzzle. It can't just be access. So we have to think about how do we ensure those most vulnerable populations have access, but have affordable access. Things like grants and forgivable loans through the SRF Program is a great way to do it, but we also need sustained and intentional investment through those grant and forgivable loan programs.

We need to have the Federal Government play a larger role in financing these systems through those grants and loan programs, and we need to make sure that, whether it is EPA or USDA or other funders, that they can find ways to target those most vulnerable populations, those that need it the most, for those grants and forgivable loan programs.

Senator Cardin. I appreciate that. I think we had a hearing a couple years ago where the Mayor of Baltimore testified before our committee and raised these issues that we

have to look at new ways of trying to provide funding. These existing programs work, but only to a point.

As we are talking about building back better, we are talking about being fair to communities, we are talking about economic and environmental justice to communities. I would hope this committee would take a look at opportunities at which we could expand the capacities in underserved communities. It is the same communities that have lead issues that we have to deal with, and how are we going to remedy the lead problems.

Senator Lummis mentioned the challenges in Wyoming in dealing with the weather conditions that she confronted. Well, we have adaptation issues. We have weather, climate issues that we have to deal with. You put that all together, and so many communities are just not capable of dealing with these issues without significant transformational change at the national level.

So I hope as we go through this debate in our committee that our experts that are here today can help us in a creative way as to how we can make a consequential difference. The chairman cited, and several have cited the current status of water infrastructure in America. It is certainly not at the level I talk about in my own City of Baltimore that had the best water infrastructure in the world. The problem was, that was 100 years ago, literally. Not too long ago, we found some pipes

that were laid 100 years ago still in use in Baltimore.

So it really does require our attention and an effort to look at ways that we can make a transformational change. I would just hope that you would share those thoughts with the committee. I know our Chairman and Ranking Member are very much interested in making a major difference. We want to work in a bipartisan manner to get that done. I hope part of that will be the affordability of the customers, the legislation that I offered with Senator Wicker. But I think we also have to deal with the realities of how do we deal with adaptation, how do we deal with climate change, how do we deal with getting lead out of our system and providing ways that we can modernize our water infrastructure in this Country.

So, Mr. Chairman, I look forward to working with you and other members of our committee on this challenge, and I hope that we can find some creative ways to make a difference in the status of our wastewater and clean water in America.

Thank you, Mr. Chairman.

Senator Carper. Senator Cardin, thanks. Thanks for your leadership on these issues and other infrastructure issues, and God knows how many others. Thank you, Ben.

Senator Lummis succeeds Mike Enzi from Wyoming. I think, when she got here a couple of months ago, I shared with her this story. I was brand new in the Senate, I was presiding over the

Senate, and the fellow who was out in the audience was Mike Enzi, he got recognized on the Republican side.

He ended up talking about why they had so much done on the Health, Education, Labor, and Pension Committee where he was a senior Republican, maybe one of the most conservative Republicans in the Senate, and the senior Democrat was Ted Kennedy.

Senator Lummis. Yes.

Senator Carper. He spoke about the 80-20 rule, why they were able to get so much done on a committee with one of the most liberal Democrats leading and one of the most conservative Republicans leading. I didn't know what the 80-20 rule was. I asked one of the pages to, after he finished speaking, to come up to where I was presiding, while someone else spoke, to explain to me, what is the 80-20 rule?

And he said, the 80-20 rule goes like this. He said, the reason why Ted Kennedy and I get so much done on the Health, Education, Labor, and Pension Committee is because we believe in the 80-20 rule. I said, well, what is it? And he said, we agree on 80 percent of the stuff. We disagree on 20 percent of the stuff, and we focus on the 80 percent that we agree on.

One of the great things about this committee, and I told Senator Lummis how happy I am that she chose to become a member, is we abide by the 80-20 rule. We agree on about 80 percent of

the stuff, maybe disagree on the 20 percent, and we focus on the 80 percent that we agree on. That is what we are doing this morning with water, wastewater. We are doing a similar kind of thing with surface transportation, and it is a lot of fun. It is also something that is just hugely important for our Country right now.

Senator Lummis, we are delighted you are on the committee. I am happy to recognize you to speak. Thank you.

Senator Lummis. Thank you so much, Mr. Chairman, and this is certainly a topic that is probably more than 80 percent agreement. These systems are critical to the lives of everyday Americans, to all of us. So this topic is both extremely timely and extremely important to the people that we work for here in Washington.

So I very much appreciate your choice to lead off with this topic and Senator Duckworth's choice to lead off with this topic. This is very much appreciated by my State of Wyoming. I too hope the 80-20 rule will continue to apply during the course of the next couple of years. I can assure you that that is my goal, as well.

My first question is for Mr. Ohle. I am interested in how we can make sure that the monies that are coming from the Federal Government are getting to on-the-ground assistance, also technical assistance, and not going to academics or regulators.

Because regardless of how many regulations we pass, or how many studies there are, what really gets clean water to people are the boots-on-the-ground workers that install and maintain systems and understand how to do it.

Mr. Ohle, how can we make sure that the money that Congress is appropriating for these programs is going directly to boots-on-the-ground work on these systems?

Mr. Ohle. Thank you very much for the question, Senator Lummis, and thank you for your continued support.

I think technical assistance programs are the key to all of these programs, to helping communities, especially the most vulnerable communities get access to funding. So EPA has existing technical assistance programs. Ones like we operate, which fall underneath international priority areas. Also, there have been several new technical assistance programs created.

So ensuring that you are getting qualified, non-profit organizations that are focused on technical assistance that have long-term trusted relationships, that, I think, is the most critical, especially in small communities to ensure that you have got folks that have built-in relationships, have the expertise, and then obviously are helping those systems access additional resources across the Federal Government.

Senator Lummis. Mr. McNulty, could you weigh in on this topic, as well?

Mr. McNulty. Yes, ma'am. I certainly agree. I believe that the USDA Circuit Rider Program is one of the very best programs in this Country, and I think you are on the right track here, with getting it out in technical assistance to the communities.

Senator Lummis. Have you seen that Circuit Rider Program work, regardless of who is in the White House?

Mr. McNulty. Yes, I have. It is always a favorite program, I think, of Congress.

Senator Lummis. Well, it is certainly reassuring to hear you say that.

The next question I have is for any one of you who cares to answer. Do you have any ideas about creative advancements in water management that are happening, whether it is engineering or financing, or otherwise, that Congress should know about, and either play a role in or intentionally not play a role in?

Ms. Chard. This is Shellie Chard. I will jump in to say, Oklahoma has been very successful, and we have created what is called the Oklahoma Strategic Alliance. It is made up of our State funding agency; it is made up of technical assistance providers, and the DEQ drinking water and wastewater staff, and capacity development trainers. That is a program that is allowed us to work together, and we bring together people from all different backgrounds.

They can go out and actually provide some of that boots-on-the-ground coordination and collaboration between all of the groups. They have somebody they can reach out to, if it is something new or unusual we haven't seen before. Then we are able to apply those lessons learned to many other systems. That has kind of been a lower capital investment that has resulted in significant water system operation improvements.

Again, this is working primarily with very small and rural systems. So I think that is a great program, and it is a great example, but we would be happy to share with anyone that wanted to talk with us about that.

Senator Lummis. Well, I really appreciate that, Ms. Chard. Thank you for your response, and we will look into that further. Those kinds of State programs with States being, really, the incubators of innovation with regard to either implementation of these programs, or planning ahead for the future, is deeply appreciated. Thank you, Mr. Chairman, I yield back.

Senator Carper. Thank you, Senator.

I think we are going to bounce back up the list here, and go to Senator Markey. I think you are next. Senator Markey is recognized please.

Let me just run down the list if we can. We have a vote that, I think, is just beginning right now, the first of two votes. It will be a 30-minute vote, and we will have to figure

out how we are going to make this work. I think we can.

Then will be Senator Markey, followed by Senator Boozman on WebEx; Senator Stabenow, and then we are going to work in Senator Kelly and Senator Padilla into this.

I am now going to recognize that one or both of you go vote right now. One or both of you, go vote right now, and come right back, so we can keep this running, okay? If you could do that, just expeditiously, though, all right? Thank you.

All right. Andele, andele, as we say in Delaware.

[Laughter.]

Senator Carper. Okay. I think Ed Markey is next. Senator Markey.

Senator Markey. Okay. Thank you, Mr. Chairman, very much, and thanks to the panelists.

Communities of color are 40 percent more likely to have drinking water systems that consistently fail to meet safety standards in our Country. To address that clog in the system last year, I introduced the CLEAR Act legislation to provide more support for disadvantaged communities with additional financial assistance and new provisions allowing communities to purchase filters or hire technical expertise.

I was glad to see these provisions, Mr. Chairman, were included in the Drinking Water Infrastructure Act, which was successfully reported out of our committee last Congress. I am

going to be working hard to include them once again in any drinking water package that is eventually passed into law.

Mr. Ohle, do you agree that more funding for the assistance for small and disadvantaged communities program would help address inequities, improve public health, and increase drinking water quality nationwide?

Mr. Ohle. Thank you, Senator Markey, and absolutely, I agree that it would. I think it is an incredibly important issue for us to be addressing. Certainly, ensuring the most vulnerable populations across the Country, including indigenous populations and communities of color is incredibly important, and I think also a very big piece to the small system conversation, as well.

Senator Markey. Thank you.

Ms. Chard, do you agree that it is important for small and disadvantaged communities to be able to use funds for filters to improve water quality at point of use?

Ms. Chard. I think it all depends on the point of use, how it is set up, the kind of filters. There are a lot of them out there. It is important; they do play a role.

I would be opposed to widespread use, where a utility would have to be the owner, the operator to maintain these devices. We have found that citizens are not excited about having either rural water, district, or municipal staff or State staff come

into their homes to take samples or to maintain equipment.

So I think it is important to strike a balance of using those filters in a responsible way, so that we can protect public health in an additional manner. It is definitely a tool in our toolbox that we should keep out there and make available. I think we need to be careful how we structure.

Senator Markey. Thank you.

Well, Mr. Ohle, do you agree that small and disadvantaged communities can benefit from contracting with non-profits for technical assistance to better map and manage their drinking water assets?

Mr. Ohle. I think it is incredibly important. Many of these systems don't have the expertise or even the technology in-house. We run a program specifically focused on mapping of systems through GIS, and these systems need those services both to understand their current infrastructure, but also in case of an emergency, how to access the system, how to make sure that it is continued to be operated.

Senator Markey. Quickly, to conclude, millions of gallons of human and industrial toxic waste goes into our rivers every single year, and people deserve to know when our water systems are compromised and our water systems warrant federal funding to alert them. Last Congress, I fought for a change to allow municipalities to use sewer overflow funding for the development

of public warning systems.

Ms. Powell, do you agree that it is important to allow water systems to use funding to notify the public on combined sewage overflows?

Ms. Powell. Thank you for the question, Senator Markey. I do think that CSO control requires massive investments, like those that we are making in D.C. with the D.C. Clean Rivers Program. Monitoring and notification can be part of those costs. So depending on the community's needs, I think it is worthy of being eligible for that funding, yes.

Senator Markey. Thank you. I agree with you 100 percent. The more notification people get is the more they can protect their own family, so thank you, Ms. Powell.

Thank you, Mr. Chairman for the recognition.

Senator Carper. Senator Markey, great to see you. Thanks for joining us, and I believe Senator Stabenow is next. Senator Stabenow, are you able to join us on WebEx?

Senator Stabenow. Yes, sir, I am.

Senator Carper. Senator Stabenow. All right.

Senator Stabenow. It is wonderful to be with you on such an important topic, and I couldn't agree more. I hope this beats the 80-20 rule, because we all should, I know, care deeply about the quality of our water systems and sewer systems and so on. So I appreciate you and our Ranking Member having this very

important hearing today.

There is perhaps no better example of the importance of safe public drinking water to public health than what happened in Flint, the lead crisis in Flint, that our families are still living through. I want to once again thank Senator Inhofe, when he was chairman of this committee, for working with me in a wonderful, bipartisan way to be able to address this crisis for the people of Flint.

Thankfully, the city has replaced almost all the lead service lines now in the city, but water challenges remain, and in communities all across Michigan, they remain. In 2018, the State of Michigan required all public water systems to begin replacing all lead service lines, starting in January of this year, and the process will occur over a 20-year period. Sounds good, but while the final count on total lead lines across the State isn't exactly known, the estimates are that there are as many as 500,000 in Michigan alone, which could cost as much as \$2.5 billion to replace.

So there has been a lot of discussion today, important questions asked about how do we deal with this, how do we navigate the challenges, what happens when the communities that have the biggest backlogs that need the most upgrades and fixes are least equipped financially to pay for them. I will not ask that question, but just lend myself, my voice, to the fact that

it is incredibly important that we address that issue.

I would like to ask Ms. Chard, in Michigan and in States across the Great Lakes, combined sewer overflow systems result in billions of gallons of untreated or partially treated water being released during rainstorms. Contamination of our waterways poses a serious threat to the health of our communities. I see this and hear from local elected officials all the time.

As a result of the climate crisis, we know that extreme weather and precipitation events are the new normal, unfortunately, which is creating new stressors on our water and our wastewater systems. Ms. Chard, in your testimony, you speak at length about this new normal. Do you have suggestions on how we can better embed climate resiliency into our wastewater systems, particularly to address combined sewer overflows?

Ms. Chard. Thank you very much. First, in the interest of full disclosure, I am very fortunate in my State. Oklahoma does not have combined sewers. Those have been outlawed since statehood, one of the benefits of being a young State.

But the resiliency and what can we do about the significant weather events, it is so critically important. What we do on the wastewater side definitely impacts our source water for our drinking water and impacts the treatment needed, our economic development, and so many things.

States like Oklahoma have included requirements in our regulations for redundancy of equipment so that plants are really, if you are only running the minimum treatment, they are overbuilt, because we want them to be able to treat in times of emergency. But that does come at a cost, and so we have to balance that.

We look at including redundant power generators, different sources of power coming into a facility. We can increase those kinds of provisions, and that can help us move forward and be more protected and keep our systems operating in times of emergency. Thank you.

Senator Stabenow. Thank you very much.

Mr. Chairman, in the interest of time, because I know there is a vote going on and others wish to ask questions, I just look forward to working with you. This is a really, really important thing for us to tackle and to address, so thank you.

Senator Carper. Senator Stabenow, I learned earlier this week that you have been named the recipient of the Bryce Harlow Award, which really suggests you are the epitome of the 80-20 rule. Congratulations on being named. I look forward to being there when you are honored in person. Thank you.

Senator Stabenow. Thank you.

Senator Carper. Okay. Next, we have Senator Kelly. If you would like to go forward, you are recognized, next followed

by Senator Wicker, Senator Sullivan, and Senator Padilla.

Senator Padilla, you may want to consider going and voting right now, and just coming back. You may want to consider that.

Senator Kelly. Well, thank you, Mr. Chairman. I am going to be brief, because I have to go preside here in just a second.

I want to start out with Mr. Ohle, and start out by asking you about drinking water infrastructure on tribal lands.

Arizona is home to 22 federally recognized tribes, and as you know, too many tribal communities still lack access to reliable drinking water infrastructure. The current drought conditions are only making matters worse. We have to do more to support the drinking water infrastructure in our tribal communities.

That is why I urged Chairman Carper and Ranking Member Capito to ensure that Arizona's tribal communities were eligible for the EPA's Indian Reservation Drinking Water Program. I am pleased to see that the upcoming water infrastructure legislation will include this request, which is a big step.

Mr. Ohle, if this legislation is enacted, how could this funding help tribes improve their drinking water systems? What more can this committee do to ensure that tribal communities have safe drinking water and functioning wastewater systems?

Mr. Ohle. Thank you very much for the question, Senator Kelly. This is an incredibly important issue across the Country. EPA's latest estimates say that there is a \$3.8

billion need in drinking water infrastructure across tribes across the Country.

What I would say is, first and foremost is the funding that comes with it, that hopefully is in grant dollars, so that these communities can access them. Maybe even more importantly, the technical assistance that comes alongside that, to work directly with tribes so they can work through the paperwork and all of the necessary items to actually access the funding itself.

One thing we know is capacity of tribes, in some cases, is very low. So ensuring that there is qualified technical assistance providers to assist those Tribes in accessing the funding is critically important.

Senator Kelly. Well, thank you, Mr. Ohle, and I yield back the remainder of my time.

Senator Carper. All right. Senator Kelly, you better go preside. Go get them.

I think next on our list right now is Senator Wicker. Senator Wicker, are you able to join us remotely?

Senator Wicker. Absolutely. Thank you very much, Mr. Chairman. Can you hear me all right?

Senator Carper. All right. Senator Wicker, welcome. You are loud and clear.

Senator Wicker. I want to ask Mr. Ohle and Mr. McNulty about optional set-asides. Last year, the committee unanimously

approved America's Water Infrastructure Act. This bill included a provision that I championed, along with other, to allow States to set-aside up to 2 percent of their Clean Water State Revolving Funds to provide technical assistance to small, rural, and tribal publicly owned treatment works.

Can each of you, Mr. Ohle and Mr. McNulty, comment about how optional set-asides within the State Revolving Funds provide flexibility and the extent to which they are helpful?

Mr. Ohle. Thank you, Senator Wicker. Yes, we fully support the 2 percent set-aside. We think it is a really vital and important piece to ensuring that small communities get access to that technical assistance. What we see through that is that technical assistance provides work on technical, managerial, and financial aspects of water system management. It ensures that those systems are sustainable in the long run, that they have the financial resources to access. Also, the set-aside in particular sends just a critically important note to States about how important this technical assistance program is.

Mr. McNulty. Senator, that is an incredibly successful program here in West Virginia. We are already using it; we have been using it for years, and we just applaud the effort to continue to do that and even increase that funding.

Senator Wicker. Okay. Mr. McNulty, you stay on the line

here, because I want to give everybody an opportunity to talk about this if you want to. Do we have enough trained personnel? The Labor Department last year recognized my State of Mississippi for the apprenticeship program. We are training five apprentices.

How does a shortage of trained water operators affect a system? Has this been a problem for you in West Virginia, Mr. McNulty? Then we will ask the other panelists to answer in turn.

Mr. McNulty. Yes, it is a big problem. With the retirements that are going on right now that we are seeing, especially in our smaller communities, they are having a hard time attracting operators, especially in southern West Virginia, in the coal fields, and so yes, it is a very, very important program to continue with.

Senator Wicker. Mr. Ohle, and others?

Mr. Ohle. Yes, Senator Wicker. The workforce issues that are confronting small and rural communities is really important. We have a silver tsunami coming over the next decade of retirements, and so ensuring that we both build a pipeline of new operators and folks in the water sector is important. But also ensuring that we have good, sustainable jobs for those folks that we encourage veterans and other folks that would be really great transitions into the water industry is important.

Ensuring that we attract young people into the industry is another key component to this.

Senator Wicker. Anyone else?

Ms. Powell. Yes, Senator Wicker. This is Kishia Powell from D.C.

I would agree. I think that it has been difficult to attract replacement workers to the water sector, which makes it that much more critical that we focus on this issue, and that we put funding behind training a workforce so that our utilities will have sustainable operations. In D.C., our CEO, David Gadis, has also implemented workforce apprenticeship programs to make sure that where we have a void, we are trying to use this as an opportunity to train a new workforce, potentially folks that are at risk that might not otherwise look at the water sector.

Ms. Chard. This is Shellie Chard, and if I may, I will go with yes to everything everyone has said already. I would also highlight that there are some States that are reaching out through community colleges or vocational schools and trying to increase the level of training and working with departments of corrections in helping to prepare inmates that are about to come back into society get some of that training. We are also seeing some of our retiring operators staying on to assist other systems or becoming circuit rider technical assistance

providers, which is also a program that is very helpful.

Senator Wicker. Ms. Chard, how important are technical assistance grants?

Ms. Chard. Incredibly important. We know that through training that can be provided, we can extend the lifespan of equipment because it is being properly maintained and operated. Technical assistance providers can also help up make sure we do have adequately trained operators. They can help us with the emergency response, which is super important.

Senator Wicker. Thank you very much, and thank you, Mr. Chairman.

Senator Carper. Senator Wicker, thanks for joining us remotely.

We have been rejoined by Senator Sullivan, and he is recognized next, and he will be followed by Senator Padilla. Thank you, Senator Padilla, for your patience today as we try to make all this work.

Senator Sullivan, please proceed.

Senator Sullivan. Thank you, Mr. Chairman. I want to talk to the witnesses, really all of you, on a topic that I think should garner really strong bipartisan support, and that is the issue of communities that are truly underserved. By this, I mean they don't have any water and sewer. They don't have flush toilets. They don't have running water. We have that in

America.

Unfortunately, we have a lot of that in Alaska. I think it is an issue that we just, particularly after the pandemic, when communities are told, you need to wash your hands five times a day, and people don't have running water, it is imperative that we address it. This has been a big issue.

Mr. Chairman, I appreciate your help on this issue in this committee, but we have to do more. These are, by the way, in my State, some of the most patriotic communities in the Country, with more veterans in these communities that you can believe.

So Mr. Ohle, Mr. McNulty, other members, how do we get to this issue? It frustrates me when I hear about communities, we had a big debate on Flint, Michigan. That was obviously a horrible issue.

But the discussion there was how do we deal with aging infrastructure. I think there is an even more important issue: how do we deal with communities that have no infrastructure, zero, zilch? So, any thoughts on that, how we can take care of these people first before we look at upgrading systems?

There are Americans, thousands in my State, who have no running water and no flush toilets. They live like they are in a third world, and they have diseases and health challenges that reflect that. How do we put an end to this? Mr. Ohle, why don't you start?

Mr. Ohle. Senator Sullivan, thank you very much for the question. I have been up in Alaska and seen some of the communities that you are referencing, and you are right. We need to focus specifically on those communities where there is no infrastructure.

I would say, first and foremost, we need to both ensure there is funding there, but technical assistance is really tailored to communities that can be culturally appropriate for Alaska Native communities or other indigenous communities that understand the complex issues that you are dealing with in Alaska and other really remote areas of the Country, to ensure that whatever infrastructure we are able to put in place works in that environment and works for that community, and also, obviously, is affordable in the way that it is implemented.

Senator Sullivan. Other panelists? Mr. McNulty, do you have a view on this?

Mr. McNulty. I certainly agree with what Mr. Ohle has said. I think we are going to have to be creative. Centralized systems aren't always going to be the best option. We will have to look at more community-specific systems, perhaps, that would be managed under an umbrella of a larger utility. I think that is one way that we can assist communities without the population density to have a large, centralized system or to transport water long distances, or wastewater.

Senator Sullivan. Let me dive into that a little bit more, and the other panelists, I welcome your views on this, too. It is not just money, although money matters in this situation, and to me, again, we have this euphemism in Alaska we call "honey buckets." It is not sweet, as you would imagine; it is the opposite, where people literally have to bring their human waste out of their house and dump it into a lagoon. That is America. It shouldn't happen. It shouldn't happen.

How do we design systems in communities like this, where if we have the money to set them up, we are able to maintain them in a way that is more of a simplistic design that is not so complicated that it breaks down frequently, and other challenges we have in Alaska? I will just open that up to any of the panelists.

Ms. Chard. This is Ms. Chard. I will start, and just say, we have to be creative. We have to use the tools we have, and sometimes we need to go find new tools.

An area in Oklahoma that I am very proud of, we have a funding agency coordination team. It involves all of the federal agencies that have funding, it involves all the State agencies that have funding, and it involves our tribal partners, which we have 39 recognized tribes in Oklahoma. We work with them; we bring in community leaders. We work with them to form a rural water district or rural sewer district if that is

appropriate.

We work through the various funding, and we look at low technology that they can actually operate, that you don't need experts coming in and a lot of chemicals being shipped in, things that we can do to get them on a path to sanitation that most of us take for granted.

Senator Sullivan. Thank you, Mr. Chairman.

This is an issue I think we need to work together on in a bipartisan way. No American citizen should live in communities that have none of this that most Americans take for granted.

Senator Duckworth. [Presiding.] Thank you. The man who just gave a wonderful maiden speech, I am so fortunate to have been on the Floor when he did, the Senator from California, Senator Padilla.

Senator Padilla. Thank you, Madam Chair, and I appreciate your being the presenting officer during that time. So we are bonded forever now.

Just a quick comment before I raise a couple of questions and issues on the prior Senator's line of questioning. I couldn't agree more, but I also would heed caution for this committee to make the false choice between better serving underserved communities versus serving unserved communities when it comes to water infrastructure.

I don't think we have to make a choice. We have to do

both, and ultimately, it is a question of resources and funding, which is a topic that I will get to in my couple of questions here, with limited time.

First, I wanted to raise the issue of equity when it comes to water service, water infrastructure, and cost. Safe drinking water is clearly fundamental to public health. We would all agree about that, on a bipartisan basis.

However, reliable access to safe, affordable drinking water is not yet a true reality, and I speak for the nearly one million Californians who cannot drink their tap water due to contamination. It is also not yet a reality for the one in eight California households who owe an estimated \$1 billion in unpaid water bills.

This water debt crisis is felt not just across California, but across the Country, in both urban as well as rural communities with particular impacts on communities of color. According to California water boards, zip codes with higher percentages of Latino and Black populations have not just a higher percentage of households with some level of water debt, they have a higher average level of actual water debt and a higher percentage of households with very high levels of water debt, exceeding \$600.

The COVID-19 pandemic has further exacerbated water affordability challenges among low-income households, And

unlike other basic utilities, colleagues, we lack a national long-term water affordability program. So, in my mind, to build back better for everyone, we must recognize that infrastructure is inequitable if it is not affordable.

Ms. Powell, you noted in your testimony, and I will quote, that "most utilities have raised rates for years to meet the compliance obligations of the Clean Water Act and the Safe Drinking Water Act. It must be recognized that if it is important for the Federal Government to regulate, it is equally important to provide funding to meet these increasingly stringent requirements. For the burden from this disparity is often borne by households of color and contributes to an increasingly acute environmental justice challenge."

Ms. Powell, what steps would you recommend that this committee take to avoid widespread water shutoffs from occurring in all communities, frankly, as a result of the looming water debt crisis? After you speak, I am going to touch on historic levels of federal funding for a minute.

Ms. Powell. Yes, sir, and thank you, Senator Padilla, for the question. The grandmother on a fixed income that I referenced in my testimony was my own. In her senior years, she was faced with having to pay her other expenses, pay her water bill, or possibly lose her home. I don't think that in this Country anyone's grandmother should be in that position.

I think what you said about it not being an either-or proposition for unserved or under-served communities to have what they need to thrive on equal footing, to be able to take advantage of the economic benefits of infrastructure investments, that is something that should be available for all communities. I think what we need to do is make sure that there are higher levels of funding and maintain the Low-Income Water Assistance Program that has been established during this pandemic, and make sure that it is funded so that it can assist more communities.

Senator Padilla. Thank you. I just want to acknowledge, colleagues, for our consideration, that federal funding for water systems has fallen by 77 percent in real terms since its peak in 1977, forcing local utilities to take on loans and raise bills in order to upgrade infrastructure, to comply with the safety standards that we now mandate, and to adapt to extreme weather conditions caused by climate change, like droughts and floods.

In 1977, the Federal Government spent about \$76.27 per person in 2014 dollars on water infrastructure. By 2014, that support fell to just \$13.68 per person. So again, whether it is through the use of State Revolving Funds or other tools, we need to be an equal partner in funding and financing compliance and upgrades, not just regulating and applying mandates.

Thank you, Madam Chair.

Senator Duckworth. Thank you. We are going to have a second round of questions. Senator Carper will be headed back; he is voting right now. So I would like to begin the second round.

As cofounder of the Senate's Environmental Justice Caucus, I commend the Biden Administration for prioritizing environmental justice through executive action, yet administrative action alone will not be enough. Environmental injustice has deep roots in our Country, and upending decades of inequity will ultimately require Congress to act.

As a Country, we have allowed the vicious cycle of forcing communities of color and low-income households to breathe dangerous air and drink toxic water to persist for far too long. That is why any effort to build back better must start with the roots, with the pipes that comprise our drinking water and wastewater systems. As we develop a comprehensive proposal to fix and improve our Nation's drinking water and wastewater systems, what programs or policies should we be prioritizing to make sure such investments also promote environmental justice?

I would like to ask that of the full panel, as well, again, in the order that you presented. Thank you.

Ms. Powell. Thank you, Senator Duckworth. I think that it is important to make sure, as you pointed out, this

Administration has prioritized equity and environmental justice, and I think that the policies need to reflect that.

I think where funding programs are concerned, we have to make sure that those communities that are underserved, those communities that have been most vulnerable to the impacts of climate change, those communities that have been most vulnerable to lead in drinking water have the resources that they need, again, to thrive on equal footing with every other community.

So when we look at funding programs, as you are considering not only higher levels of funding, but also considering more grant funding, recognizing that those underserved communities that have environmental justice challenges may not be able to take advantage of loans to address the issues that they grapple with. So that is something that, as we look at those funding programs, we have to make sure that they work for everyone, even as we are looking at how much additional funding we are putting into those programs.

Senator Duckworth. Thank you. Ms. Chard?

Ms. Chard. Thank you, Senator. I think this is an area that is an opportunity where we can be creative and think outside the box a little bit. As we start working with these disadvantaged communities, rural communities, some of them are served by their own independent systems, but some of them may be subsections of existing, much larger water systems.

So, I think we need to look at what we can do to assist those communities, and we can do some of that through some of the funding that is non-traditional for the water and wastewater infrastructure. If we look at some of the funding that the Department of Agriculture has through their Rural Development Program, they can help us a lot there.

Also, boots-on-the-ground technical assistance providers working with the States, we have the Department of Energy Grand Water Security Challenge. That is funding that can allow industries and others to innovate water savings, water efficiency, and that can free up fresh water for drinking that may need less treatment if we are reusing industrial waters for industrial purposes.

So I think we can do a lot of different things, we just have to think a little bit differently than we have in traditional funding and traditional operation. So I will leave it there. Thank you.

Senator Duckworth. Thank you. Mr. Ohle?

Mr. Ohle. Thank you, Senator. I think, obviously, the grant funding and forgivable loan funding is important, accompanied by technical assistance. But I also think the flexibility that needs to be built into those funding programs is really important.

You heard Senator Sullivan talk about, there are going to

be different options that work in different communities, based on the local needs. So creating flexibility within the funding programs to align and focus on solutions that work in different regions of the Country in different ways is really important.

Senator Duckworth. Thank you.

Mr. Ohle, not all communities are able to afford the most advanced water systems or around the clock operators. However, they still need to be able to provide safe, reliable water to their customers. In Illinois, we have towns that are so desperate for assistance in updating their wastewater or drinking water infrastructure, yet they have no idea where to start or what funding opportunities even exist for them.

Could you help explain how non-profit organizations like RCAP can help these systems and address why federal funding for technical assistance grants is so important? You have touched on this already, but I am going to give you time to expand.

Mr. Ohle. Thank you, Senator. It is a fundamental aspect of the work that we do on the ground with communities. It is helping communities both understand where funding opportunities exist, what you have to have in place to actually go in and apply for those, but also helping with the actual applications. Many of these communities don't have the capacity for a grant writer or someone who may understand all the intricacies of federal funding opportunities.

So technical assistance providers can be utilized to help communities understand both where and what options there are for funding, but also how to actually access the funding, how to maintain all of the rules and requirements that come with that funding, and ensure that their systems are sustainable in the long run.

Senator Duckworth. I couldn't agree with you more. Some of these municipalities literally have a mayor and maybe one other person, and that is it.

Ms. Chard, as the former president of the Association of State Drinking Water Administrators, you understand what happened in Flint was an absolute disgrace, but you also know that this is not an issue that is limited to just one town. In my State of Illinois, we have almost a quarter of all the lead service lines in the Nation.

With EPA's recent decision to delay the enforcement date of the lead and copper rule, I am encouraged that the Biden Administration will take a more aggressive approach on the war against lead than the previous Administration. That being said, the cost of full pipe replacement is huge, and some places will never be able to afford this without help.

Ms. Chard, can you tell us why federal funding through programs like the SRFs, Lead Reduction Grants, and Reducing Lead in School Grants are critical for protecting our communities?

Ms. Chard. Thank you, Senator, and I really appreciate the opportunity to speak on this issue. We have to address lead service lines; we have to address the end problem, which is lead, in drinking water.

As we go through a review of the proposed rule and we will see how it all turns out in the end, but everybody has the same end goal, and that is getting the lead out of our drinking water. Funding programs at the Federal level and at the State level has to happen in order for that expense to be manageable. Otherwise we end up in a situation where only the very wealthy areas can afford to do that kind of service line replacement.

But we also need to focus on what we can do to minimize the lead leeching from those in-home plumbing fixtures. That is a part of this that sometimes gets missed, that we have old plumbing fixtures in homes, in schools, in daycares. That is an area where we need to focus technical assistance and treatment operation at the plant, and we need to work with those facilities in our cities and our towns.

We have a work group in Oklahoma that includes the Department of Education and the State PTA. Getting them on board and working with us to look at treatment and look at grant programs that they could put together to help with replacement of equipment in those vulnerable populations that are served.

So we have a lot of different options, but we have to fund

them, and we have to look at what are the right decisions for each of our communities and those populations served in order to truly be successful. Thank you.

Senator Duckworth. Thank you, and I yield back to the Chairman, who is back from his vote. Thank you.

Senator Carper. [Presiding.] Nice job. You look like you have been doing this forever.

[Laughter.]

Senator Carper. Thanks so much for your leadership on these issues, and thanks so much for chairing while we somehow make all this work this morning.

To our witnesses, it is not always this crazy. But this is an important issue, and I am glad we are able to make it all work. Most of our members are coming and asking questions, and we appreciate very much, again, your participation near and far.

I didn't realize, Ms. Powell, you are right here in the same room. This room is about the size of RFK Stadium, so you are over there, at the other end of the bleachers. Welcome, it is nice of you to join us in person.

Among the things I have heard as we have gone through this hearing is the need to focus on retirements. People never retire around here, at least not very often. But almost everyone who has spoken today has talked about the need to provide training for folks to fill the shoes of those who are

retiring in the next five, ten years. Ms. Powell, how much of an issue is that for you here in your jurisdiction, here in D.C.?

Ms. Powell. I think it is an issue for us. Like every other utility, we are faced with trying to find replacement workers and seeing folks with a lot of experience operating our facility.

Senator Carper. Okay, that is fine. That is all I need, but it is an issue, it is an important one.

Ms. Powell. It is.

Senator Carper. Good. Ms. Chard, same question. Is it an important issue, or not, for you folks?

Ms. Chard. Absolutely, an important issue at the utility level and at the State and federal level. Because if regulators are writing rules, if they don't have the experience or the knowledge, it just makes the problem for the regulated community so much worse.

Senator Carper. Okay, thanks Ms. Chard. Mr. McNulty, what kind of problem is this in West Virginia, the Mountain State?

Mr. McNulty. It is a big problem, Senator. It is very, very important to us.

Senator Carper. Okay. Mr. Ohle? Same question. Is this an issue of concern?

Mr. Ohle. I would say it is one of the most important

issues confronting small and rural and tribal communities across the Country.

Senator Carper. All right.

The American Recovery Plan was just passed and signed into law by the President about a week ago. It includes a dramatic increase in the Economic Development Administration, EDA, from \$300 million to \$3 billion dollars. A piece of that money might be available to help in this retraining effort. The other monies that are in the same piece of legislation are set aside, or I think earmarked, for retooling, retraining workers in skills that are hard to find.

So in the day and age, and I think of my native West Virginia when I think of this, but the day and age when we have a lot of folks who are looking for work, would love to have a job, the previous jobs have gone away, and we need people who can work in the utilities industry and make sure we get water, clean water, to drink and deal with our wastewater. This seems like maybe a marriage made in heaven. It is a good one for us to take advantage of.

I want to ask a question, this would be for the entire panel. I want each of you to take no more than a minute in responding if you would. Communities across this Country have water systems that are aging, as we have heard repeatedly. Many cities are inadequately sized to address community water needs

and are comprised of antiquated and banned equipment, such as lead pipes. We have seen this play out in community after community.

I will start with you, Ms. Powell. Do you believe that supporting local investments in drinking water and wastewater infrastructure is a vital, the word vital, federal responsibility? If so, why?

Ms. Powell. I absolutely do, Senator Carper, and I think for two reasons. One, because it certainly supports the communities, the public health and welfare of our communities, but it also provides an economic opportunity. For every million dollars that we invest in our infrastructure, there is an economic impact of 15 and a half jobs. At a time like this, I think the water sector has a shot to be part of getting this Country back on its feet, if we have the money to invest.

Senator Carper. All right, thanks. Same question for Ms. Chard, please.

Shellie Chard. Absolutely, we have to invest locally, in our communities, and at the State level. Economic development depends on water, public health depends on water, our way of life, our recreation, all comes back to water and wastewater treatment availability. We have to all be in this together and encourage camaraderie and investment as we move forward.

Senator Carper. Thanks. I like to think of it as a shared

responsibility. It is not all in the Federal Government, but it is shared responsibility.

Mr. McNulty, from West Virginia, go ahead, please. Same question.

Mr. McNulty. Yes. I agree, Senator. This is a shared responsibility. We certainly need clean water. We need that investment in our communities for economic development, as well as for health and safety, especially for those that are most vulnerable. So again, I think it is vital that we have federal support.

Senator Carper. All right, thank you.

Same question, Mr. Ohle, thank you.

Mr. Ohle. Yes. Thank you, Senator.

I think water access and wastewater access is one of the most underappreciated parts of economic development and economic growth. No business is going to stay or grow in a community without access to sanitary wastewater. No family that has the means to is going to stay in a community without access to safe drinking water. So water and wastewater access and affordable water and wastewater access is an incredibly important piece of the economic development puzzle.

Senator Carper. All right, thanks so much. Mr. Ohle, if you will stay with us, I have a follow-up question on resiliency, please. There is a lot of discussion right now

about reinvesting in aging infrastructure and ensuring our systems are resilient to climate change, not just now, but well into the future.

Rural and small water systems are significantly more burdened by system aging, by climate change because they operate in such thin margins. Question: how is RCAP helping small systems prepare for and address our changing climate and the resulting extreme weather events, please?

Mr. Ohle. We work with communities of all shapes and sizes in different regions of the Country on these issues, whether you are talking about coastal erosion, whether you are talking about flooding issues that have become more prevalent. We are working with communities to help them build the resiliency on the front end, but certainly, obviously also on the back end of recovery, as these events continue to happen. It is our focus to try and help build capacity at the local level to take on these issues and ensure they have the expertise and know-how to actually execute on those.

Senator Carper. All right. Thanks for that response.

Let me just follow up on the same issue of resiliency please, with a question for Mr. McNulty. Would you just share with us what your experience has been in Morgantown and in West Virginia in addressing more frequent extreme weather events?

Mr. McNulty?

Mr. McNulty. We have undergone several flooding issues here over, since 2001. The technical assistance provided by our Rural Water Association has been just invaluable in getting these folks back on their feet and other utilities coming to their aid, especially down in Clay, Wyoming, McDowell Counties. I mean, they have just been ravaged. So, we are seeing these programs, the rural water programs, are just wonderful programs to help.

Senator Carper. Thank you, sir.

Kishia Powell, maybe a question on infrastructure maintenance. Ms. Powell, you are currently, I understand, the CEO, is that right, the CEO of DC Water?

Ms. Powell. COO.

Senator Carper. COO, okay. Maybe someday, CEO? Today, the future CEO of DC Water, but you have had leadership roles in other communities, including Jackson, Mississippi. Is that right?

Ms. Powell. Yes, sir.

Senator Carper. And as you know, Jackson still has large parts of the community without access to water, after the winter storms have shut down expansive parts of the south, including the entire State of Texas. As I understand it, Jackson has yet to fully implement its full suite of options to respond to the storm. What happened in Jackson could have been any community

in America. Climate change is making the concerns of aging infrastructure even more prevalent and worrisome.

Ms. Powell, can you speak more about what it takes to maintain an aging infrastructure network like Jackson and make upgrades while keeping rates affordable? It is a little like changing the engine of an airplane while you are in flight. Go ahead.

Ms. Powell. It absolutely is, and if you have been in that position, there is nothing more deflating for a water operator to be fighting to keep continuing to provide service to a community with infrastructure failure after infrastructure failure. I think the importance of maintaining what we have cannot be underscored.

We talk a lot about investing in infrastructure to build new because the regulatory programs that we have. We have to sometimes build new infrastructure like the D.C. Clean Rivers Program at \$2.7 billion. But when you have billions of dollars of assets in the ground, and as you pointed out, ASC's data point that there is a water main break every two minutes in this Country, that underscores the need to maintain what is already there.

I think we have to do both. We have to have funding levels that allow us to build new, to leverage opportunities for new technology. We also have to have the funding to be able to

maintain our infrastructure, to maintain our plants, our pump stations, so that we can serve reliably and we can achieve a level of resilience.

Senator Carper. With your DC Water add on the left on my list, my last question for this hearing, I have to go back. I am going to ask everyone a wrap-up question, just one point you would really drive hard. One point for my colleagues and me, with respect to these issues before us today, one point you think is, if it is already been said, that is fine. Say it again. Just reiterate. Repetition is good.

Question, with respect to DC Water, Ms. Powell, DC Water provides water for all here in the Nation's capital, we thank you for that. All around the Country, the situation is the same. We want safety, we want resiliency, we want reliable service, it is all critical.

Would you just take a minute and discuss the steps DC Water has taken or is taking to address risks, while vulnerabilities to water delivery and ensure it is resilient to climate change? Just briefly, one minute please, thank you.

Ms. Powell. Yes, sir, and thank you for the question. We are taking several steps. We are making sure that our infrastructure in the ground can reliably serve the District. We know that we have some very important customers here. It can be a matter of national security to make sure that we have our

systems intact.

We are also looking at cyber and making sure that we have a cyber security infrastructure in place that can support our systems. We have teams in place that are constantly looking at gaps to make sure that we close those gaps and maintain a state of readiness at all times to respond.

But all of those things take funding. If we don't have that, in terms of being able to access federal funding, then that has to come from our ratepayers. So I would just continue to ask and NACWA urges for higher levels of federal funding for the water sector.

Senator Carper. Fair enough. Thank you so much. The squeaky wheel gets the grease.

Ms. Powell. We need billions in D.C.

Senator Carper. All right, well, that is a lot of grease. Okay. Thank you, and thanks again for being with us today.

Real quick wrap up question, just no more than 30 seconds per person. One point you would really like to hammer home, if we remember nothing else from what you said. Let's hear from you right now. Repeat whatever it is.

Ms. Chard, you go first, please.

Ms. Chard. So, I would just say, very simply, the setting of standards by EPA or Congress, that is not ultimately what protects public health. It is getting those standards

implemented, and we need funding to get those standards implemented and protect public health. Thank you.

Senator Carper. Thank you, ma'am, and thanks for joining us.

Mr. McNulty, please. Same question.

Mr. McNulty. Debt forgiveness, Senator. So many of our rural systems are struggling. They are so debt-heavy, there is no room to grow. If you could find a way to forgive a lot of that debt, that would be wonderful.

Senator Carper. All right. Thank you, sir. It is great to have you here. I just got a very nice text message yesterday from Gordon Gee, President of West Virginia University in Morgantown, a guy you probably know. He calls me a buccaneer, combination of Ohio State Buckeye and the Mountaineer State. I have been called a lot worse than that.

Mr. Ohle, please.

Mr. Ohle. Yes. Just, the knowledge and need to fund more technical assistance to ensure that communities that need these funds the most get access to them and understand how to access those funds.

Senator Carper. All right, fine. Thank you, sir.

Ms. Powell, you get the last swing here.

Ms. Powell. Yes, sir. I would say that we have to push past equity to achieve environmental justice. We have to look

beyond investing equally among infrastructure sectors and focus on investing equitably. To coin a phrase of a good friend, this is water's moment, and we have a clear opportunity here to help the Country get back on its feet. Give us a shot.

Senator Carper. That is great. With respect to equity, the first slogan I ever heard related to that, it is repeated actually, in every major religion of the world. I think you find it in the Old Testament and the New Testament and in every major religion of the world, and it is the Golden Rule. Treat other people the way we want to be treated.

That is what racial justice is always about. Whether people live on the other side of the street, the other side of town, or the other side of the world, we have a moral obligation to them, and to always keep in mind the least of these in our society, and that includes making sure they have clean water to drink.

It has been a great hearing, an unusual hearing, but in the end, I think a terrific hearing. I am grateful. Our majority staff is led by Mary Frances Repko, and leader of our water team, John Keene on the Republican side. On the minority side, I want to say many, many thanks to Adam and the team that he leads for Senator Capito.

We appreciate Senator Duckworth and Senator Lummis in their leadership of their relevant subcommittees, too.

I want to ask unanimous consent to place all materials into the record. Materials to submit for the record include a number of reports, articles, and statements for the record, focused on the need for federal investment in drinking water and clean water-related infrastructure for our Nation. These materials show that the Nation's infrastructure has suffered from inadequate investments and from extreme weather and climate-related events that are happening far too frequently.

[The referenced information follows:]

Senator Carper. Just a real quick closing statement, to all of our witnesses, whether they happen to be coming in from Oklahoma or right across the room here, from West Virginia or some other place, we are happy to see you in person or remotely. And for whoever develops these systems, makes all this work, so many things could have gone wrong today, and they didn't. I am just grateful.

I am shocked by the bipartisan consensus that we have heard today, and we are a committee that is, I think, known for the way that we work together, sort of the 80-20 rule. I am almost tempted to ask everyone here to stay together, we will sing a little Kum-Ba-Yah, maybe a verse or two of Kum-Ba-Yah would probably be appropriate.

But in all seriousness, at any point in this hearing, I really had the sense that if I were blindfolded and didn't know who was at the microphone on our side, here on this side of the dais, I probably would have no idea whether the Senator speaking was a Democrat or a Republican. That is exactly the way it should be on issues like these. We all know that the need for clean, safe, water, it is not a red State or blue State issue, it is a human issue, one that we have a shared moral responsibility to address.

So I am proud of us coming together in common purpose today. I hope we will continue in that manner to take action to

bring safe, clean water to the American people.

For some final housekeeping, Senators will be allowed to submit questions for the record through close of business on March 31st. That is through close of business on March 31st. We will compile those questions, we will send them to our witnesses, and we will ask our witnesses to reply to them by April 14th, if you would.

With all of that, it is a wrap.

[Whereupon, at 12:29 p.m., the hearing was adjourned.]