

concurrent resolution; which was referred to the Committee on Commerce, Science, and Transportation:

S. CON. RES. 9

Whereas the United States enjoys broadcasting and sound recording industries that are the envy of the world due to the symbiotic relationship that has existed among these industries for many decades;

Whereas, for nearly a century, Congress has rejected repeated calls by the recording industry to impose a performance fee on local radio stations for simply playing music on the radio, as such a fee would upset the mutually beneficial relationship between local radio and the recording industry;

Whereas local radio stations provide free publicity and promotion to the recording industry and performers of music in the form of radio airplay, interviews with performers, introduction of new performers, concert promotions, and publicity that promotes the sale of music, concert tickets, ring tones, music videos, and associated merchandise;

Whereas committees in the Senate and the House of Representatives have previously reported that “the sale of many sound recordings and the careers of many performers have benefitted considerably from airplay and other promotional activities provided by both noncommercial and advertiser-supported, free over-the-air broadcasting”;

Whereas local radio broadcasters provide tens of thousands of hours of essential local news and weather information during times of national emergencies and natural disasters, as well as public affairs programming, sports, and hundreds of millions of dollars worth of time for public service announcements and local fund raising efforts for worthy charitable causes, all of which are jeopardized if local radio stations are forced to divert revenues to pay for a new performance fee;

Whereas there are many thousands of local radio stations that will suffer severe economic hardship if any new performance fee is imposed, as will many other small businesses that play music, including bars, restaurants, retail establishments, sports and other entertainment venues, shopping centers, and transportation facilities; and

Whereas the hardship that would result from a new performance fee would hurt businesses in the United States and ultimately the consumers in the United States who rely on local radio for news, weather, and entertainment, and such a performance fee is not justified when the current system has produced the most prolific and innovative broadcasting, music, and sound recording industries in the world: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That Congress should not impose any new performance fee, tax, royalty, or other charge—

(1) relating to the public performance of sound recordings on a local radio station for broadcasting sound recordings over the air; or

(2) on any business for the public performance of sound recordings on a local radio station broadcast over the air.

AMENDMENTS SUBMITTED AND PROPOSED

SA 1476. Mr. BENNET (for himself and Mr. MORAN) submitted an amendment intended to be proposed to amendment SA 1460 proposed by Mr. CARPER (for himself and Mrs. CAPITO) to the bill S. 914, to amend the Safe Drinking Water Act and the Federal Water Pollution Control Act to reauthorize programs under those Acts, and for other purposes; which was ordered to lie on the table.

SA 1477. Mr. BENNET (for himself and Mr. MORAN) submitted an amendment intended to be proposed to amendment SA 1460 proposed by Mr. CARPER (for himself and Mrs. CAPITO) to the bill S. 914, supra; which was ordered to lie on the table.

SA 1478. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1460 proposed by Mr. CARPER (for himself and Mrs. CAPITO) to the bill S. 914, supra; which was ordered to lie on the table.

SA 1479. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1460 proposed by Mr. CARPER (for himself and Mrs. CAPITO) to the bill S. 914, supra; which was ordered to lie on the table.

SA 1480. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1460 proposed by Mr. CARPER (for himself and Mrs. CAPITO) to the bill S. 914, supra; which was ordered to lie on the table.

SA 1481. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1460 proposed by Mr. CARPER (for himself and Mrs. CAPITO) to the bill S. 914, supra; which was ordered to lie on the table.

SA 1482. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1460 proposed by Mr. CARPER (for himself and Mrs. CAPITO) to the bill S. 914, supra; which was ordered to lie on the table.

SA 1483. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1460 proposed by Mr. CARPER (for himself and Mrs. CAPITO) to the bill S. 914, supra; which was ordered to lie on the table.

SA 1484. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1460 proposed by Mr. CARPER (for himself and Mrs. CAPITO) to the bill S. 914, supra; which was ordered to lie on the table.

SA 1485. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1460 proposed by Mr. CARPER (for himself and Mrs. CAPITO) to the bill S. 914, supra; which was ordered to lie on the table.

SA 1486. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1460 proposed by Mr. CARPER (for himself and Mrs. CAPITO) to the bill S. 914, supra; which was ordered to lie on the table.

SA 1487. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1460 proposed by Mr. CARPER (for himself and Mrs. CAPITO) to the bill S. 914, supra; which was ordered to lie on the table.

SA 1488. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1460 proposed by Mr. CARPER (for himself and Mrs. CAPITO) to the bill S. 914, supra; which was ordered to lie on the table.

SA 1489. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 593, to restrict the imposition by the Secretary of Homeland Security of fines, penalties, duties, or tariffs applicable only to coastwise voyages, or prohibit otherwise qualified non-United States citizens from serving as crew, on specified vessels transporting passengers between the State of Washington and the State of Alaska, to address a Canadian cruise ship ban and the extraordinary impacts of the COVID-19 pandemic on Alaskan communities, and for other purposes; which was referred to the Committee on Commerce, Science, and Transportation.

SA 1490. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 593, supra; which was referred to the Committee on Commerce, Science, and Transportation.

SA 1491. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 593, supra; which was referred to the Committee on Commerce, Science, and Transportation.

TEXT OF AMENDMENTS

SA 1476. Mr. BENNET (for himself and Mr. MORAN) submitted an amendment intended to be proposed to amendment SA 1460 proposed by Mr. CARPER (for himself and Mrs. CAPITO) to the bill S. 914, to amend the Safe Drinking Water Act and the Federal Water Pollution Control Act to reauthorize programs under those Acts, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title II, add the following:

SEC. 2 . . . WAIVER.

(a) WIFIA DEFINITIONS.—Section 5022 of the Water Infrastructure Finance and Innovation Act of 2014 (33 U.S.C. 3901) is amended—

(1) by redesignating paragraphs (10) through (15) as paragraphs (11) through (16), respectively; and

(2) by inserting after paragraph (9) the following:

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

(b) FEES.—Section 5029(b)(7) of the Water Infrastructure Finance and Innovation Act of 2014 (33 U.S.C. 3908(b)(7)) is amended—

(1) in subparagraph (A), by striking “subparagraph (B)” and inserting “subparagraphs (B) and (C)”; and

(2) by adding at the end the following:

“(C) WAIVER.—On request of an eligible entity, the Secretary or the Administrator, as applicable, may waive the application fee for—

“(i) a small community water infrastructure project described in section 5028(a)(2)(B); and

“(ii) a project to be carried out in a rural community.”.

SA 1477. Mr. BENNET (for himself and Mr. MORAN) submitted an amendment intended to be proposed to amendment SA 1460 proposed by Mr. CARPER (for himself and Mrs. CAPITO) to the bill S. 914, to amend the Safe Drinking Water Act and the Federal Water Pollution Control Act to reauthorize programs under those Acts, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title II, add the following:

SEC. 2 . . . FLEXIBLE FINANCING.

(a) WIFIA DEFINITIONS.—Section 5022 of the Water Infrastructure Finance and Innovation Act of 2014 (33 U.S.C. 3901) is amended—

(1) by redesignating paragraphs (10) through (15) as paragraphs (11) through (16), respectively; and

(2) by inserting after paragraph (9) the following:

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

(b) TERMS AND LIMITATIONS.—Section 5029(b) of the Water Infrastructure Finance and Innovation Act of 2014 (33 U.S.C. 3908(b)) is amended—

(1) in paragraph (2)—

(A) by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), respectively, and indenting appropriately;

(B) in the matter preceding clause (i) (as so redesignated), by striking “The amount” and inserting the following:

“(A) IN GENERAL.—Except as provided in subparagraph (B), the amount”; and

(C) by adding at the end the following:

“(B) PROJECTS IN RURAL COMMUNITIES.—In the case of a project receiving assistance

under this subtitle in a rural community, the amount of a secured loan under this section shall not exceed the lesser of—

“(i) an amount equal to 67 percent of the reasonably anticipated eligible project costs; and

“(ii) if the secured loan does not receive an investment-grade rating, the amount of the senior project obligations of the project.”; and

(2) in paragraph (5)—

(A) in subparagraph (A), in the matter preceding clause (i), by striking “The final” and inserting “Except as provided in subparagraphs (B) and (C), the final”; and

(B) by adding at the end the following:

“(C) SPECIAL RULE FOR PROJECTS IN RURAL COMMUNITIES.—In the case of a project receiving assistance under this subtitle in a rural community, the final maturity date of a secured loan under this section shall be the earlier of—

“(i) the date that is 40 years after the date of substantial completion of the relevant project (as determined by the Secretary or the Administrator, as applicable); and

“(ii) if the useful life of the project (as determined by the Secretary or Administrator, as applicable) is less than 40 years, the useful life of the project.”.

SA 1478. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1460 proposed by Mr. CARPER (for himself and Mrs. CAPITO) to the bill S. 914, to amend the Safe Drinking Water Act and the Federal Water Pollution Control Act to reauthorize programs under those Acts, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. 1. RESCISSION OF FUNDS.

From the unobligated balances of each discretionary appropriation for fiscal year 2021, there is rescinded on a pro rata basis the amount necessary to reduce the total amount of discretionary appropriations for fiscal year 2021 by \$35,000,000,000.

SA 1479. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1460 proposed by Mr. CARPER (for himself and Mrs. CAPITO) to the bill S. 914, to amend the Safe Drinking Water Act and the Federal Water Pollution Control Act to reauthorize programs under those Acts, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 6, strike line 21 and all that follows through page 7, line 21, and insert the following:

(b) ASSISTANCE FOR DISADVANTAGED COMMUNITIES.—Section 1452(d)(1) of the Safe Drinking Water Act (42 U.S.C. 300j-12(d)(1)) is amended—

(1) by striking “Notwithstanding any” and inserting the following:

“(A) IN GENERAL.—Notwithstanding any”;

(2) in subparagraph (A) (as so designated), by inserting “, grants, negative interest loans, other loan forgiveness, and through buying, refinancing, or restructuring debt” after “forgiveness of principal”; and

(3) by adding at the end the following:

“(B) EXCLUSION.—A loan from a State loan fund with an interest rate equal to or greater than 0 percent shall not be considered additional subsidization for purposes of this subsection.”.

SA 1480. Mr. LEE submitted an amendment intended to be proposed to

amendment SA 1460 proposed by Mr. CARPER (for himself and Mrs. CAPITO) to the bill S. 914, to amend the Safe Drinking Water Act and the Federal Water Pollution Control Act to reauthorize programs under those Acts, and for other purposes; which was ordered to lie on the table; as follows:

On page 6, strike lines 3 through 5 and insert the following:

(1) in subsection (a)—

(A) by striking paragraph (4); and

(B) by redesignating paragraph (5) as paragraph (4);

SA 1481. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1460 proposed by Mr. CARPER (for himself and Mrs. CAPITO) to the bill S. 914, to amend the Safe Drinking Water Act and the Federal Water Pollution Control Act to reauthorize programs under those Acts, and for other purposes; which was ordered to lie on the table; as follows:

On page 40, strike lines 16 through 22 and insert the following:

(3) USE OF FUNDS LIMITATIONS.—A grant under the pilot program shall not be used to replace funds for any existing similar program.

SA 1482. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1460 proposed by Mr. CARPER (for himself and Mrs. CAPITO) to the bill S. 914, to amend the Safe Drinking Water Act and the Federal Water Pollution Control Act to reauthorize programs under those Acts, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

TITLE III—LIMITATION

SEC. 301. LIMITATION ON SOURCES OF ASSISTANCE.

Notwithstanding any other provision of law, an entity may not receive a grant, loan, or other assistance from more than 1 program under this Act or an amendment made by this Act.

SA 1483. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1460 proposed by Mr. CARPER (for himself and Mrs. CAPITO) to the bill S. 914, to amend the Safe Drinking Water Act and the Federal Water Pollution Control Act to reauthorize programs under those Acts, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . NAVIGABLE WATERS PROTECTION RULE.

(a) IN GENERAL.—The final rule of the Corps of Engineers and the Environmental Protection Agency entitled “The Navigable Waters Protection Rule: Definition of ‘Waters of the United States’” (85 Fed. Reg. 22250 (April 21, 2020)) is enacted into law.

(b) JUDICIAL REVIEW.—The final rule enacted into law under subsection (a) shall not be subject to judicial review.

SA 1484. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1460 proposed by Mr. CARPER (for himself and Mrs. CAPITO) to the bill S. 914, to amend the Safe

Drinking Water Act and the Federal Water Pollution Control Act to reauthorize programs under those Acts, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 79, strike line 21 and all that follows through page 80, line 15, and insert the following:

“(1) COST SHARE.—A grant under the program shall not exceed 50 percent of the total cost of the proposed project.

“(2) REQUIREMENTS.—The requirements of

SA 1485. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1460 proposed by Mr. CARPER (for himself and Mrs. CAPITO) to the bill S. 914, to amend the Safe Drinking Water Act and the Federal Water Pollution Control Act to reauthorize programs under those Acts, and for other purposes; which was ordered to lie on the table; as follows:

On page 84, strike line 12 and insert the following:

“(B) a community within which the median household income is less than 60 percent of the statewide median household income; or

SA 1486. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1460 proposed by Mr. CARPER (for himself and Mrs. CAPITO) to the bill S. 914, to amend the Safe Drinking Water Act and the Federal Water Pollution Control Act to reauthorize programs under those Acts, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

TITLE III—MISCELLANEOUS

SEC. 301. LIMITATION ON THE ESTABLISHMENT OR EXTENSION OF NATIONAL MONUMENTS IN THE STATE OF UTAH.

Section 320301 of title 54, United States Code, is amended by adding at the end the following:

“(e) LIMITATION ON THE ESTABLISHMENT OR EXTENSION OF NATIONAL MONUMENTS IN THE STATE OF UTAH.—Notwithstanding any other provision of this section, the President may not establish or extend a national monument in the State of Utah (referred to in this subsection as the ‘State’) unless—

“(1) the extension or establishment has been authorized by an Act of Congress; and

“(2) the President has received from the Governor of the State notice that the State legislature has enacted legislation approving the proposed establishment or extension.”.

SA 1487. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1460 proposed by Mr. CARPER (for himself and Mrs. CAPITO) to the bill S. 914, to amend the Safe Drinking Water Act and the Federal Water Pollution Control Act to reauthorize programs under those Acts, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 221.

SA 1488. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1460 proposed by Mr. CARPER (for himself and Mrs. CAPITO) to the bill S. 914, to amend the Safe Drinking Water Act and the Federal Water Pollution Control Act to reauthorize programs under those Acts, and

for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 9, strike line 1 and all that follows through page 121, line 24, and insert the following:

SEC. 104. ASSISTANCE FOR SMALL AND DISADVANTAGED COMMUNITIES.

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

(1) in subsection (b)(2)—

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

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

(C) by adding at the end the following:

“(D) the purchase of point-of-entry or point-of-use filters and filtration systems that are certified by a third party using science-based test methods for the removal of contaminants of concern;

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

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

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

“(F) entering into contracts, including contracts with nonprofit organizations that have water system technical expertise, to assist—

“(i) an eligible entity; or

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

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

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

“(k) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated to carry out subsections (a) through (j)—

“(1) \$70,000,000 for fiscal year 2022;

“(2) \$80,000,000 for fiscal year 2023;

“(3) \$100,000,000 for fiscal year 2024;

“(4) \$120,000,000 for fiscal year 2025; and

“(5) \$140,000,000 for fiscal year 2026.”; and

(4) in subsection (1)—

(A) in paragraph (2)—

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

(ii) by striking “fiscal years 2019 and 2020” and inserting “fiscal years 2022 through 2026”; and

(B) in paragraph (5), by striking “\$4,000,000 for each of fiscal years 2019 and 2020” and inserting “\$25,000,000 for each of fiscal years 2022 through 2026”.

(b) **CONNECTION TO PUBLIC WATER SYSTEMS.**—Section 1459A of the Safe Drinking Water Act (42 U.S.C. 300j-19a) is amended by adding at the end the following:

“(m) **CONNECTION TO PUBLIC WATER SYSTEMS.**—

“(1) **DEFINITIONS.**—In this subsection:

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

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

“(ii) a nonprofit entity that assists or is seeking to assist eligible individuals with the costs associated with connecting the household of the eligible individual to a public water system.

“(B) **ELIGIBLE INDIVIDUAL.**—The term ‘eligible individual’ has the meaning given the term in section 603(j) of the Federal Water Pollution Control Act (33 U.S.C. 1383(j)).

“(C) **PROGRAM.**—The term ‘program’ means the competitive grant program established under paragraph (2).

“(2) **ESTABLISHMENT.**—Subject to the availability of appropriations, the Administrator shall establish a competitive grant program for the purpose of improving the general welfare under which the Administrator awards grants to eligible entities to provide funds to assist eligible individuals in covering the costs incurred by the eligible individual in connecting the household of the eligible individual to a public water system.

“(3) **APPLICATION.**—An eligible entity seeking a grant under the program shall submit to the Administrator an application at such time, in such manner, and containing such information as the Administrator may require.

“(4) **VOLUNTARY CONNECTION.**—Before providing funds to an eligible individual for the costs described in paragraph (2), an eligible entity shall ensure and certify to the Administrator that—

“(A) the eligible individual is voluntarily seeking connection to the public water system;

“(B) if the eligible entity is not the owner or operator of the public water system to which the eligible individual seeks to connect, the public water system to which the eligible individual seeks to connect has agreed to the connection; and

“(C) the connection of the household of the eligible individual to the public water system meets all applicable local and State regulations, requirements, and codes.

“(5) **REPORT.**—Not later than 3 years after the date of enactment of the Drinking Water and Wastewater Infrastructure Act of 2021, the Administrator shall submit to Congress a report that describes the implementation of the program, which shall include a description of the use and deployment of amounts made available under the program.

“(6) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated to carry out the program \$20,000,000 for each of fiscal years 2022 through 2026.”.

(c) **COMPETITIVE GRANT PILOT PROGRAM.**—Section 1459A of the Safe Drinking Water Act (42 U.S.C. 300j-19a) (as amended by subsection (b)) is amended by adding at the end the following:

“(n) **STATE COMPETITIVE GRANTS FOR UNDERSERVED COMMUNITIES.**—

“(1) **IN GENERAL.**—In addition to amounts authorized to be appropriated under subsection (k), there is authorized to be appropriated to carry out subsections (a) through (j) \$50,000,000 for each of fiscal years 2022 through 2026 in accordance with paragraph (2).

“(2) **COMPETITIVE GRANTS.**—

“(A) **IN GENERAL.**—Notwithstanding any other provision of this section, the Administrator shall distribute amounts made available under paragraph (1) to States through a competitive grant program.

“(B) **APPLICATIONS.**—To seek a grant under the competitive grant program under subparagraph (A), a State shall submit to the Administrator an application at such time, in such manner, and containing such information as the Administrator may require.

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

“(3) **REPORT.**—Not later than 2 years after the date of enactment of the Drinking Water and Wastewater Infrastructure Act of 2021, the Administrator shall submit to Congress a report that describes the implementation of the competitive grant program under

paragraph (2)(A), which shall include a description of the use and deployment of amounts made available under the competitive grant program.

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

SEC. 105. REDUCING LEAD IN DRINKING WATER.

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

(1) in subsection (a)—

(A) in paragraph (1), by striking subparagraph (D) and inserting the following:

“(D) a qualified nonprofit organization with experience in lead reduction, as determined by the Administrator; and”;

(B) in paragraph (2)(A)—

(i) in clause (i), by striking “publicly owned”; and

(ii) by striking clause (iii) and inserting the following:

“(iii) providing assistance to eligible entities to replace lead service lines, with priority for disadvantaged communities based on the affordability criteria established by the applicable State under section 1452(d)(3), low-income homeowners, and landlords or property owners providing housing to low-income renters.”; and

(C) in paragraph (3), by striking “an individual provided”;

(2) in subsection (b)—

(A) in paragraph (5)—

(i) in subparagraph (A), by striking “to provide assistance” and all that follows through the period at the end and inserting “to replace lead service lines, with first priority given to assisting disadvantaged communities based on the affordability criteria established by the applicable State under section 1452(d)(3), low-income homeowners, and landlords or property owners providing housing to low-income renters.”; and

(ii) in subparagraph (B), by striking “line” and inserting “lines”; and

(B) in paragraph (6)—

(i) in subparagraph (A), by striking “any publicly owned portion of”;

(ii) in subparagraph (C), in the matter preceding clause (i)—

(I) by striking “may” and inserting “shall”;

(II) by inserting “and may, for other homeowners,” after “low-income homeowner,”; and

(III) by striking “a cost that” and all that follows through the semicolon at the end of clause (ii) and inserting “no cost to the homeowner”;

(iii) in subparagraph (D), by striking “and” at the end;

(iv) in subparagraph (E), by striking “other options” and all that follows through the period at the end and inserting “feasible alternatives for reducing the concentration of lead in drinking water, such as corrosion control; and”;

(v) by adding at the end the following:

“(F) shall notify the State of any planned replacement of lead service lines under this program and coordinate, where practicable, with other relevant infrastructure projects.”;

(3) in subsection (d)—

(A) by inserting “(except for subsection (d))” after “this section”; and

(B) by striking “\$60,000,000 for each of fiscal years 2017 through 2021” and inserting “\$100,000,000 for each of fiscal years 2022 through 2026”;

(4) by redesignating subsections (d) and (e) as subsections (e) and (f), respectively; and

(5) by inserting after subsection (c) the following:

“(d) LEAD INVENTORYING UTILIZATION GRANT PILOT PROGRAM.—

“(1) DEFINITIONS.—In this subsection:

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

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

“(2) ESTABLISHMENT.—The Administrator shall establish a pilot program under which the Administrator shall provide grants to eligible entities to carry out lead reduction projects that are demonstrated to exist or are suspected to exist, based on available data, information, or resources, including existing lead inventorying of those eligible entities.

“(3) SELECTION.—

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

“(B) PRIORITIZATION.—In selecting recipients under the pilot program, the Administrator shall give priority to—

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

“(ii) an eligible entity that is located in an area other than a State that has established affordability criteria under section 1452(d)(3).

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

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

“(B) the existing lead inventorying that was available to recipients of grants under the pilot program; and

“(C) how useful and accurate the lead inventorying described in subparagraph (B) was in locating lead service lines of the eligible entity.

“(5) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out the pilot program \$10,000,000, to remain available until expended.”

SEC. 106. OPERATIONAL SUSTAINABILITY OF SMALL PUBLIC WATER SYSTEMS.

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

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

“(a) DEFINITIONS.—In this section:

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

“(A) a State;

“(B) a unit of local government;

“(C) a public corporation established by a unit of local government to provide water service;

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

“(E) an Indian Tribe that owns or operates a public water system;

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

“(G) a Tribal consortium.

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

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

“(4) SMALL SYSTEM.—The term ‘small system’, for the purposes of this section, means a public water system that—

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

“(B) is owned or operated by—

“(i) a unit of local government;

“(ii) a public corporation;

“(iii) a nonprofit corporation;

“(iv) a public trust;

“(v) a cooperative association; or

“(vi) an Indian Tribe.

“(b) ESTABLISHMENT.—Subject to the availability of appropriations, the Administrator shall establish a program to award grants to eligible entities for the purpose of improving the operational sustainability of 1 or more small systems.

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

“(1) a proposal of the project to be carried out using grant funds under the program;

“(2) documentation provided by the eligible entity describing the deficiencies or suspected deficiencies in operational sustainability of 1 or more small systems that are to be addressed through the proposed project;

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

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

“(5) any additional information the Administrator may require.

“(d) ADDITIONAL REQUIRED INFORMATION.—Before the award of funds for a grant under the program to a grant recipient, the grant recipient shall submit to the Administrator—

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

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

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

“(1) the development of a detailed asset inventory, which may include drinking water sources, wells, storage, valves, treatment systems, distribution lines, hydrants, pumps, controls, and other essential infrastructure;

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

“(A) geographic information system software; and

“(B) global positioning system software;

“(3) the deployment of leak detection technology;

“(4) the deployment of metering technology;

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

“(A) the eligible entity; or

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

“(6) the deployment of strategies, techniques, and technologies to enhance the operational sustainability and effective use of water resources through water reuse; and

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

“(f) COST SHARE.—The Federal share of the cost of a project carried out using a grant under the program shall be 90 percent of the total cost of the project.

“(g) REPORT.—Not later than 2 years after the date of enactment of the Drinking Water and Wastewater Infrastructure Act of 2021, the Administrator shall submit to Congress a report that describes the implementation of the program, which shall include a description of the use and deployment of amounts made available under the program.

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

SEC. 107. MIDSIZE AND LARGE DRINKING WATER SYSTEM INFRASTRUCTURE RESILIENCE AND SUSTAINABILITY PROGRAM.

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

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

“(a) DEFINITIONS.—In this section:

“(1) ELIGIBLE ENTITY.—The term ‘eligible entity’ means a public water system that serves a community with a population of 10,000 or more.

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

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

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

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

“(2) reducing cybersecurity vulnerabilities.

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

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

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

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

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

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

“(6) the development and implementation of measures—

“(A) to increase the resilience of the eligible entity to natural hazards and extreme weather events; or

“(B) to reduce cybersecurity vulnerabilities;

“(7) the conservation of water or the enhancement of a water supply through the implementation of water reuse measures; or

“(8) the formation of regional water partnerships to collaboratively address documented water shortages.

“(d) APPLICATION.—To seek a grant under the resilience and sustainability program, an eligible entity shall submit to the Administrator an application at such time, in such manner, and containing such information as the Administrator may require, including—

“(1) a proposal of the program or project to be planned, designed, constructed, implemented, operated, or maintained by the eligible entity;

“(2) an identification of the natural hazard risks, extreme weather events, or potential cybersecurity vulnerabilities, as applicable, to be addressed by the proposed program or project;

“(3) documentation prepared by a Federal, State, regional, or local government agency of the natural hazard risk, potential cybersecurity vulnerability, or risk for extreme weather events to the area where the proposed program or project is to be located;

“(4) a description of any recent natural hazards, cybersecurity events, or extreme weather events that have affected the community water system of the eligible entity;

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

“(6) an explanation of how the proposed program or project is expected—

“(A) to enhance the resilience of the community water system of the eligible entity to the anticipated natural hazards or extreme weather events; or

“(B) to reduce cybersecurity vulnerabilities.

“(e) REPORT.—Not later than 2 years after the date of enactment of the Drinking Water and Wastewater Infrastructure Act of 2021, the Administrator shall submit to Congress a report that describes the implementation of the resilience and sustainability program, which shall include a description of the use and deployment of amounts made available to carry out the resilience and sustainability program.

“(f) AUTHORIZATION OF APPROPRIATIONS.—

“(1) IN GENERAL.—There is authorized to be appropriated to carry out the resilience and sustainability program \$50,000,000 for each of fiscal years 2022 through 2026.

“(2) USE OF FUNDS.—Of the amounts made available under paragraph (1) for grants to

eligible entities under the resilience and sustainability program—

“(A) 50 percent shall be used to provide grants to eligible entities that serve a population of—

“(i) equal to or greater than 10,000; and

“(ii) fewer than 100,000; and

“(B) 50 percent shall be used to provide grants to eligible entities that serve a population equal to or greater than 100,000.

“(3) ADMINISTRATIVE COSTS.—Of the amounts made available under paragraph (1), not more than 2 percent may be used by the Administrator for the administrative costs of carrying out the resilience and sustainability program.”.

SEC. 108. NEEDS ASSESSMENT FOR NATIONWIDE RURAL AND URBAN LOW-INCOME COMMUNITY WATER ASSISTANCE.

(a) DEFINITIONS.—In this section and section 109:

(1) COMMUNITY WATER SYSTEM.—The term “community water system” has the meaning given the term in section 1401 of the Safe Drinking Water Act (42 U.S.C. 300f).

(2) LARGE WATER SERVICE PROVIDER.—The term “large water service provider” means a community water system, treatment works, or municipal separate storm sewer system that serves more than 100,000 people.

(3) MEDIUM WATER SERVICE PROVIDER.—The term “medium water service provider” means a community water system, treatment works, or municipal separate storm sewer system that serves more than 10,000 people and not more than 100,000 people.

(4) NEED.—The term “need”, with respect to a qualifying household, means the expenditure of a disproportionate amount of household income on access to public drinking water or wastewater services.

(5) QUALIFYING HOUSEHOLD.—The term “qualifying household” means a household that—

(A) includes an individual who is—

(i) the holder of an account for drinking water or wastewater service that is provided to that household by a large water service provider, a medium water service provider, or a rural water service provider; or

(ii) separately billed by a landlord that holds an account with a large water service provider, a medium water service provider, or a rural water service provider for the cost of drinking water or wastewater service provided to that household by the respective large water service provider, medium water service provider, or rural water service provider; and

(B) is determined—

(i) by a large water service provider, a medium water service provider, or a rural water service provider to be eligible for assistance through a low-income ratepayer assistance program;

(ii) by the Governor of the State in which the household is located to be low-income, based on the affordability criteria established by the State under section 1452(d)(3) of the Safe Drinking Water Act (42 U.S.C. 300j-12(d)(3));

(iii) by the Administrator to experience drinking water and wastewater service costs that exceed the metrics of affordability established in the most recent guidance of the Administrator entitled “Financial Capability Assessment Guidance”; or

(iv) in the case of a household serviced by a rural water service provider, by the State in which the household is located to have an annual income that does not exceed the greater of—

(I) an amount equal to 150 percent of the poverty level of that State; and

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

(6) RURAL WATER SERVICE PROVIDER.—The term “rural water service provider” means a

community water system, treatment works, or municipal separate storm sewer system that serves not more than 10,000 people.

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

(b) STUDY; REPORT.—

(1) IN GENERAL.—The Administrator shall conduct, and submit to Congress a report describing the results of, a study that examines the prevalence throughout the United States of municipalities, public entities, or Tribal governments that—

(A) are serviced by rural water service providers, medium water service providers, or large water service providers that service a disproportionate percentage, as determined by the Administrator, of qualifying households with need; or

(B) as determined by the Administrator, have taken on an unsustainable level of debt due to customer nonpayment for the services provided by a large water service provider, a medium water service provider, or a rural water service provider.

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

(A) a definition of the term “affordable access to water services”;

(B) a description of the criteria used in defining “affordable access to water services” under subparagraph (A);

(C) a definition of the term “lack of affordable access to water services”;

(D) a description of the methodology and criteria used in defining “lack of affordable access to water services” under subparagraph (C);

(E) a determination of the prevalence of a lack of affordable access to water services, as defined under subparagraph (C);

(F) the methodology and criteria used to determine the prevalence of a lack of affordable access to water services under subparagraph (E);

(G) any additional information with respect to the affordable access to water services, as defined under subparagraph (A), provided by rural water service providers, medium water service providers, and large water service providers;

(H) with respect to the development of the report, a consultation with all relevant stakeholders, including rural advocacy associations;

(I) recommendations of the Administrator regarding the best methods to reduce the prevalence of a lack of affordable access to water services, as defined under subparagraph (C); and

(J) a description of the cost of each method described in subparagraph (I).

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

SEC. 109. RURAL AND LOW-INCOME WATER ASSISTANCE PILOT PROGRAM.

(a) DEFINITIONS.—In this section:

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

(A) a municipality, Tribal government, or other entity that—

(i) owns or operates a community water system, treatment works, or municipal separate storm sewer system; or

(ii) as determined by the Administrator, has taken on an unsustainable level of debt due to customer nonpayment for the services provided by a community water system, treatment works, or municipal separate storm sewer system; and

(B) a State exercising primary enforcement responsibility over a rural water service provider under the Safe Drinking Water Act (42 U.S.C. 300f et seq.) or the Federal

Water Pollution Control Act (33 U.S.C. 1251 et seq.), as applicable.

(2) **PILOT PROGRAM.**—The term “pilot program” means the pilot program established by the Administrator under subsection (b)(1).

(3) **WATER SERVICES NEEDS ASSESSMENT.**—The term “water services needs assessment” means the report required under section 108(b)(1).

(b) **ESTABLISHMENT.**—

(1) **IN GENERAL.**—Not later than 2 years after the date of enactment of this Act, the Administrator shall establish a pilot program to award grants to eligible entities to develop and implement programs to assist qualifying households with need in maintaining access to drinking water and wastewater treatment.

(2) **REQUIREMENT.**—In establishing the pilot program, the Administrator shall ensure that data from the water services needs assessment directly contributes to the structure of the pilot program by informing the types of assistance and criteria used for priority consideration with the demonstrated need from the study conducted under section 108(b)(1) and the water services needs assessment.

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

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

(B) may be used to supplement or enhance an existing program, including a program that receives assistance from other Federal grants.

(4) **TERM.**—The term of a grant awarded under the pilot program shall be subject to the availability of appropriations.

(5) **TYPES OF ASSISTANCE.**—In establishing the pilot program, the Administrator may include provisions for—

(A) direct financial assistance;

(B) a lifeline rate;

(C) bill discounting;

(D) special hardship provisions;

(E) a percentage-of-income payment plan; or

(F) debt relief for the eligible entity or the community water system owned by the eligible entity for debt that is due to customer nonpayment for the services provided by the eligible entity or the community water system that is determined by the Administrator to be in the interest of public health.

(6) **REQUIREMENT.**—The Administrator shall award not more than 40 grants under the pilot program, of which—

(A) not more than 8 shall be to eligible entities that own, operate, or exercise primary enforcement responsibility over a rural water service provider under the Safe Drinking Water Act (42 U.S.C. 300f et seq.) or the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.), as applicable;

(B) not more than 8 shall be to eligible entities that own or operate a medium water service provider;

(C) not more than 8 shall be to eligible entities that own or operate a large water service provider that serves not more than 500,000 people;

(D) not more than 8 shall be to eligible entities that own or operate a large water service provider that serves more than 500,000 people; and

(E) not more than 8 shall be to eligible entities that own or operate a community water system, treatment works, or municipal separate storm sewer system that services a disadvantaged community (consistent with the affordability criteria established by the applicable State under section 1452(d)(3) of the Safe Drinking Water Act (42 U.S.C. 300j-12(d)(3)) or section 603(i)(2) of the Federal Water Pollution Control Act (33 U.S.C. 1383(i)(2)), as applicable).

(7) **CRITERIA.**—In addition to any priority criteria established by the Administrator in response to the findings in the water services needs assessment, in awarding grants under the pilot program, the Administrator shall give priority consideration to eligible entities that—

(A) serve a disproportionate percentage, as determined by the Administrator, of qualifying households with need, as identified in the water services needs assessment;

(B) are subject to State or Federal enforcement actions relating to compliance with the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.) or the Safe Drinking Water Act (42 U.S.C. 300f et seq.); or

(C) maintain or participate in an existing community assistance program with objectives similar to the objectives of the pilot program, as determined by the Administrator.

(8) **REPORTING REQUIREMENTS.**—

(A) **IN GENERAL.**—In addition to any other applicable Federal or agency-specific grant reporting requirements, as a condition of receiving a grant under the pilot program, an eligible entity (or a State, on behalf of an eligible entity) shall submit to the Administrator an annual report that summarizes, in a manner determined by the Administrator, the use of grant funds by the eligible entity, including—

(i) key features of the assistance provided by the eligible entity;

(ii) sources of funding used to supplement Federal funds; and

(iii) eligibility criteria.

(B) **PUBLICATION.**—The Administrator shall publish each report submitted under subparagraph (A).

(C) **TECHNICAL ASSISTANCE.**—The Administrator shall provide technical assistance to each eligible entity, and each State, on behalf of an eligible entity, that receives a grant under the pilot program to support implementation of the program.

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

SEC. 110. LEAD CONTAMINATION IN SCHOOL DRINKING WATER.

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

(1) in subsection (b)—

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

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

(2) in subsection (d)—

(A) in the subsection heading, by inserting “AND REDUCTION” after “LEAD TESTING”; and

(B) in paragraph (2)—

(i) in subparagraph (A), by striking “the Administrator” and all that follows through the period at the end and inserting the following: “the Administrator shall establish a voluntary school and child care program lead testing, compliance monitoring, and lead reduction grant program to make grants available to—

“(i) States to assist local educational agencies, public water systems that serve schools and child care programs under the jurisdiction of those local educational agencies, and qualified nonprofit organizations in voluntary testing or compliance monitoring for and remediation of lead contamination in drinking water at schools and child care programs under the jurisdiction of those local educational agencies; and

“(ii) tribal consortia to assist tribal education agencies (as defined in section 3 of the

National Environmental Education Act (20 U.S.C. 5502)), public water systems that serve schools and child care programs under the jurisdiction of those tribal education agencies, and qualified nonprofit organizations in voluntary testing or compliance monitoring for and remediation of lead contamination in drinking water at schools and child care programs under the jurisdiction of those tribal education agencies.”; and

(ii) in subparagraph (B)—

(I) in the matter preceding clause (i), by inserting “or compliance monitoring for or remediation of lead contamination” after “voluntary testing”; and

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

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

(IV) by adding at the end the following:

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

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

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

“(III) assists schools with carrying out projects to remediate lead contamination in drinking water; or

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

“(iv) a qualified nonprofit organization, as determined by the Administrator.”;

(C) in paragraphs (3), (5), (6), and (7), by striking “State or local educational agency” each place it appears and inserting “State, local educational agency, public water system, tribal consortium, or qualified nonprofit organization”;

(D) in paragraph (4)—

(i) by striking “States and local educational agencies” and inserting “States, local educational agencies, public water systems, tribal consortia, and qualified nonprofit organizations”; and

(ii) by inserting “or the remediation of” after “testing for”; and

(E) in paragraph (6)—

(i) in the matter preceding subparagraph (A)—

(I) by striking “State or local educational agency” and inserting “State, local educational agency, public water system, tribal consortium, or qualified nonprofit agency”; and

(II) by inserting “, public water system, tribal consortium, or qualified nonprofit organization” after “each local educational agency”;

(ii) in subparagraph (A)(ii)—

(I) by inserting “or tribal” after “applicable State”; and

(II) by striking “reducing lead” and inserting “voluntary testing or compliance monitoring for and remediation of lead contamination”; and

(iii) in subparagraph (B)(i), by inserting “applicable” before “local educational agency”;

(F) in paragraph (7), by striking “testing for” and inserting “testing or compliance monitoring for or remediation of”; and

(G) by striking paragraph (8) and inserting the following:

“(8) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated to carry out this subsection—

“(A) \$30,000,000 for fiscal year 2022;

“(B) \$35,000,000 for fiscal year 2023;

“(C) \$40,000,000 for fiscal year 2024;

“(D) \$45,000,000 for fiscal year 2025; and

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

SEC. 111. INDIAN RESERVATION DRINKING WATER PROGRAM.

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

(1) in subsection (a)—

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

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

(2) in subsection (b), by striking paragraph (2) and inserting the following:

“(2) that will—

“(A) improve water quality, water pressure, or water services through means such as connecting to, expanding, repairing, improving, or obtaining water from a public water system (as defined in section 1401 of the Safe Drinking Water Act (42 U.S.C. 300f)); or

“(B) improve water quality or sanitation or wastewater services at a treatment works (as defined in section 212 of the Federal Water Pollution Control Act (33 U.S.C. 1292)).”;

(3) by redesignating subsection (d) as subsection (f);

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

“(c) REQUIRED PROJECTS.—

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

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

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

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

“(D) 10 eligible projects described in subsection (b) that are within the Lower Colorado River Basin; and

“(E) 10 eligible projects described in subsection (b) that are within the Arkansas-White-Red River Basin.

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

“(d) PRIORITY.—In selecting projects to carry out under this section, the Administrator shall give priority to projects that—

“(1) respond to emergency situations occurring due to or resulting in a lack of access to clean drinking water that threatens the health of Tribal populations;

“(2) would serve a Tribal population that would qualify as a disadvantaged community based on the affordability criteria established by the applicable State under section 1452(d)(3) of the Safe Drinking Water Act (42 U.S.C. 300j-12(d)(3)); or

“(3) would address the underlying factors contributing to—

“(A) an enforcement action commenced pursuant to the Safe Drinking Water Act (42 U.S.C. 300f et seq.) against the applicable public water system (as defined in section 1401 of that Act (42 U.S.C. 300f)) as of the date of enactment of the Drinking Water and Wastewater Infrastructure Act of 2021; or

“(B) an enforcement action commenced pursuant to the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.) against the applicable treatment works (as defined

in section 212 of that Act (33 U.S.C. 1292)) as of the date of enactment of the Drinking Water and Wastewater Infrastructure Act of 2021.

“(e) REPORT.—Not later than 2 years after the date of enactment of the Drinking Water and Wastewater Infrastructure Act of 2021, the Administrator shall submit to Congress a report that describes the implementation of the program established under subsection (a), which shall include a description of the use and deployment of amounts made available under that program.”; and

(5) in subsection (f) (as so redesignated)—

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

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

“(1) \$20,000,000”;

(C) in paragraph (1) (as so designated), by striking “2022.” and inserting “2021; and”;

(D) by adding at the end the following:

“(2) \$50,000,000 for each of fiscal years 2022 through 2026.”.

SEC. 112. ADVANCED DRINKING WATER TECHNOLOGIES.

Part E of the Safe Drinking Water Act (42 U.S.C. 300j et seq.) (as amended by section 107) is amended by adding at the end the following:

“SEC. 1459G. ADVANCED DRINKING WATER TECHNOLOGIES.**“(a) STUDY.—**

“(1) IN GENERAL.—Subject to the availability of appropriations, not later than 1 year after the date of enactment of the Drinking Water and Wastewater Infrastructure Act of 2021, the Administrator shall carry out a study that examines the state of existing and potential future technology, including technology that could address cybersecurity vulnerabilities, that enhances or could enhance the treatment, monitoring, affordability, efficiency, and safety of drinking water provided by a public water system.

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

“(b) ADVANCED DRINKING WATER TECHNOLOGY GRANT PROGRAM.—

“(1) DEFINITIONS.—In this subsection:

“(A) ELIGIBLE ENTITY.—The term ‘eligible entity’ means the owner or operator of a public water system that—

“(i) serves—

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

“(II) a community described in section 1459A(c)(2);

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

“(iii) has expressed an interest in the opportunities in the operation of the public water system to employ new, existing, or emerging, yet proven, technologies, including technology that could address cybersecurity vulnerabilities, as determined by the Administrator, that enhance treatment, monitoring, affordability, efficiency, or safety of the drinking water provided by the public water system, including technologies not identified in the study conducted under subsection (a)(1).

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

“(C) UNDERSERVED COMMUNITY.—The term ‘underserved community’ means a political subdivision of a State that, as determined by the Administrator, has an inadequate system for obtaining drinking water.

“(2) ESTABLISHMENT.—The Administrator shall establish a competitive grant program under which the Administrator shall award grants to eligible entities for the purpose of identifying, deploying, or identifying and deploying technologies described in paragraph (1)(A)(ii).

“(3) REQUIREMENTS.—

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

“(B) FEDERAL SHARE.—The Federal share of the cost of a project carried out using a grant under the program shall not exceed 90 percent of the total cost of the project.

“(4) REPORT.—Not later than 2 years after the date on which the Administrator first awards a grant under the program, and annually thereafter, the Administrator shall submit to Congress a report describing—

“(A) each recipient of a grant under the program during the previous 1-year period; and

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

“(5) FUNDING.—

“(A) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out the program \$10,000,000 for each of fiscal years 2022 through 2026, to remain available until expended.

“(B) ADMINISTRATIVE COSTS.—Not more than 2 percent of the amount made available for a fiscal year under subparagraph (A) to carry out the program may be used by the Administrator for the administrative costs of carrying out the program.”.

SEC. 113. CYBERSECURITY SUPPORT FOR PUBLIC WATER SYSTEMS.

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

“SEC. 1420A. CYBERSECURITY SUPPORT FOR PUBLIC WATER SYSTEMS.

“(a) DEFINITIONS.—In this section:

“(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ‘appropriate Congressional committees’ means—

“(A) the Committee on Environment and Public Works of the Senate;

“(B) the Committee on Homeland Security and Governmental Affairs of the Senate;

“(C) the Committee on Energy and Commerce of the House of Representatives; and

“(D) the Committee on Homeland Security of the House of Representatives.

“(2) DIRECTOR.—The term ‘Director’ means the Director of the Cybersecurity and Infrastructure Security Agency.

“(3) INCIDENT.—The term ‘incident’ has the meaning given the term in section 3552 of title 44, United States Code.

“(4) PRIORITIZATION FRAMEWORK.—The term ‘Prioritization Framework’ means the prioritization framework developed by the Administrator under subsection (b)(1)(A).

“(5) SUPPORT PLAN.—The term ‘Support Plan’ means the Technical Cybersecurity Support Plan developed by the Administrator under subsection (b)(2)(A).

“(b) IDENTIFICATION OF AND SUPPORT FOR PUBLIC WATER SYSTEMS.—

“(1) PRIORITIZATION FRAMEWORK.—

“(A) IN GENERAL.—Not later than 180 days after the date of enactment of the Drinking Water and Wastewater Infrastructure Act of

2021, the Administrator, in coordination with the Director, shall develop a prioritization framework to identify public water systems (including sources of water for those public water systems) that, if degraded or rendered inoperable due to an incident, would lead to significant impacts on the health and safety of the public.

“(B) CONSIDERATIONS.—In developing the Prioritization Framework, to the extent practicable, the Administrator shall incorporate consideration of—

“(i) whether cybersecurity vulnerabilities for a public water system have been identified under section 1433;

“(ii) the capacity of a public water system to remediate a cybersecurity vulnerability without additional Federal support;

“(iii) whether a public water system serves a defense installation or critical national security asset; and

“(iv) whether a public water system, if degraded or rendered inoperable due to an incident, would cause a cascading failure of other critical infrastructure.

“(2) TECHNICAL CYBERSECURITY SUPPORT PLAN.—

“(A) IN GENERAL.—Not later than 270 days after the date of enactment of the Drinking Water and Wastewater Infrastructure Act of 2021, the Administrator, in coordination with the Director and using existing authorities of the Administrator and the Director for providing voluntary support to public water systems and the Prioritization Framework, shall develop a Technical Cybersecurity Support Plan for public water systems.

“(B) REQUIREMENTS.—The Support Plan—

“(i) shall establish a methodology for identifying specific public water systems for which cybersecurity support should be prioritized;

“(ii) shall establish timelines for making voluntary technical support for cybersecurity available to specific public water systems;

“(iii) may include public water systems identified by the Administrator, in coordination with the Director, as needing technical support for cybersecurity;

“(iv) shall include specific capabilities of the Administrator and the Director that may be utilized to provide support to public water systems under the Support Plan, including—

“(I) site vulnerability and risk assessments;

“(II) penetration tests; and

“(III) any additional support determined to be appropriate by the Administrator; and

“(v) shall only include plans for providing voluntary support to public water systems.

“(3) CONSULTATION REQUIRED.—In developing the Prioritization Framework pursuant to paragraph (1) and the Support Plan pursuant to paragraph (2), the Administrator shall consult with such Federal or non-Federal entities as determined to be appropriate by the Administrator.

“(4) REPORTS REQUIRED.—

“(A) PRIORITIZATION FRAMEWORK.—Not later than 190 days after the date of enactment of the Drinking Water and Wastewater Infrastructure Act of 2021, the Administrator shall submit to the appropriate Congressional committees a report describing the Prioritization Framework.

“(B) TECHNICAL CYBERSECURITY SUPPORT PLAN.—Not later than 280 days after the date of enactment of the Drinking Water and Wastewater Infrastructure Act of 2021, the Administrator shall submit to the appropriate Congressional committees—

“(i) the Support Plan; and

“(ii) a list describing any public water systems identified by the Administrator, in coordination with the Director, as needing

technical support for cybersecurity during the development of the Support Plan.

“(c) RULES OF CONSTRUCTION.—Nothing in this section—

“(1) alters the existing authorities of the Administrator; or

“(2) compels a public water system to accept technical support offered by the Administrator.”

TITLE II—CLEAN WATER

SEC. 201. RESEARCH, INVESTIGATIONS, TRAINING, AND INFORMATION.

(a) REAUTHORIZATION.—Section 104(u) of the Federal Water Pollution Control Act (33 U.S.C. 1254(u)) is amended—

(1) by striking “and (7)” and inserting “(7)”; and

(2) in paragraph (7)—

(A) by striking “2023” and inserting “2021”; and

(B) by striking the period at the end and inserting “; and (8) not to exceed \$75,000,000 for each of fiscal years 2022 through 2026 for carrying out subsections (b)(3), (b)(8), and (g), of which not less than \$50,000,000 each fiscal year shall be used to carry out subsection (b)(8).”

(b) COMMUNICATION.—Each nonprofit organization that receives funding under paragraph (8) of section 104(b) of the Federal Water Pollution Control Act (33 U.S.C. 1254(b)) shall, before using that funding to undertake activities to carry out that paragraph, consult with the State in which the assistance is to be expended or otherwise made available.

(c) REPORT.—Not later than 2 years after the date of enactment of this Act, the Administrator shall submit to Congress a report that describes the implementation of the grants authorized under subsections (b)(3), (b)(8), and (g) of section 104 of the Federal Water Pollution Control Act (33 U.S.C. 1254), which shall include a description of the grant recipients and grant amounts made available to carry out those subsections.

SEC. 202. WASTEWATER EFFICIENCY GRANT PILOT PROGRAM.

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

“SEC. 222. WASTEWATER EFFICIENCY GRANT PILOT PROGRAM.

“(a) ESTABLISHMENT.—Subject to the availability of appropriations, the Administrator shall establish a wastewater efficiency grant pilot program (referred to in this section as the ‘pilot program’) to award grants to owners or operators of publicly owned treatment works to carry out projects that create or improve waste-to-energy systems.

“(b) SELECTION.—

“(1) APPLICATIONS.—To be eligible to receive a grant under the pilot program, an owner or operator of a treatment works shall submit to the Administrator an application at such time, in such manner, and containing such information as the Administrator may require.

“(2) NUMBER OF RECIPIENTS.—The Administrator shall select not more than 15 recipients of grants under the pilot program from applications submitted under paragraph (1).

“(c) USE OF FUNDS.—

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

“(A) sludge collection;

“(B) installation of anaerobic digesters;

“(C) methane capture;

“(D) methane transfer;

“(E) facility upgrades and retrofits necessary to create or improve waste-to-energy systems; and

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

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

“(d) REPORTS.—

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

“(2) REPORT TO CONGRESS.—Not later than 1 year after first awarding grants under the pilot program and each year thereafter for which amounts are made available for the pilot program under subsection (e), the Administrator shall submit to Congress a report describing—

“(A) the applications received by the Administrator for grants under the pilot program; and

“(B) the projects for which grants were awarded under the pilot program.

“(e) AUTHORIZATION OF APPROPRIATIONS.—

“(1) IN GENERAL.—There is authorized to be appropriated to carry out the pilot program \$20,000,000 for each of fiscal years 2022 through 2026, to remain available until expended.

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

SEC. 203. PILOT PROGRAM FOR ALTERNATIVE WATER SOURCE PROJECTS.

Section 220 of the Federal Water Pollution Control Act (33 U.S.C. 1300) is amended—

(1) in subsection (b), in the heading, by striking “IN GENERAL” and inserting “ESTABLISHMENT”;

(2) in subsection (d)—

(A) in paragraph (1), by inserting “construction” before “funds”;

(B) by striking paragraph (2); and

(C) by redesignating paragraph (3) as paragraph (2);

(3) by striking subsection (e);

(4) in subsection (i)—

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

(B) in paragraph (1), in the first sentence, by striking “water or wastewater or by treating wastewater” and inserting “water, wastewater, or stormwater or by treating wastewater or stormwater for groundwater recharge, potable reuse, or other purposes”;

(5) in subsection (j)—

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

“(1) IN GENERAL.—There is”;

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

(C) by adding at the end the following:

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

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

SEC. 204. SEWER OVERFLOW AND STORMWATER REUSE MUNICIPAL GRANTS.

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

(1) in subsection (a)(1) —

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

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

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

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

(2) in subsection (d)—

(A) in the second sentence, by striking “The non-Federal share of the cost” and inserting the following:

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

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

“(1) IN GENERAL.—The Federal”;

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

“(2) RURAL AND FINANCIALLY DISTRESSED COMMUNITIES.—To the maximum extent practicable, the Administrator shall work with States to prevent the non-Federal share requirements under this subsection from being passed on to rural communities and financially distressed communities (as those terms are defined in subsection (f)(2)(B)(i)).”;

(3) in subsection (f)—

(A) by striking paragraph (1) and inserting the following:

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

(B) in paragraph (2)—

(i) by striking “To the extent” and inserting the following:

“(A) GREEN PROJECTS.—To the extent”;

(ii) by adding at the end the following:

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

“(i) DEFINITIONS.—In this subparagraph:

“(I) FINANCIALLY DISTRESSED COMMUNITY.—The term ‘financially distressed community’ has the meaning given the term in subsection (c)(1).

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

“(ii) ALLOCATION.—

“(I) IN GENERAL.—To the extent there are sufficient eligible project applications, the Administrator shall ensure that a State uses not less than 25 percent of the amount of the grants made to the State under subsection (a) in a fiscal year to carry out projects in rural communities or financially distressed communities for the purpose of planning, design, and construction of—

“(aa) treatment works to intercept, transport, control, treat, or reuse municipal sewer overflows, sanitary sewer overflows, or stormwater; or

“(bb) any other measures to manage, reduce, treat, or recapture stormwater or subsurface drainage water eligible for assistance under section 603(c).

“(II) RURAL COMMUNITIES.—Of the funds allocated under subclause (I) for the purposes described in that subclause, to the extent there are sufficient eligible project applications, the Administrator shall ensure that a State uses not less than 60 percent to carry out projects in rural communities.”; and

(4) in subsection (i)—

(A) in the second sentence, by striking “The recommended funding levels” and inserting the following:

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

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

“(1) PERIODIC REPORTS.—

“(A) IN GENERAL.—Not later”;

(C) in paragraph (1)(A) (as so designated)—

(i) by striking the period at the end and inserting “; and”;

(ii) by striking “containing recommended”

and inserting the following: “containing—

“(i) recommended”;

(iii) by adding at the end the following:

“(ii) a description of the extent to which States pass costs associated with the non-Federal share requirements under subsection (d) to local communities, with a focus on rural communities and financially distressed communities (as those terms are defined in subsection (f)(2)(B)(i)).”;

(D) by adding at the end the following:

“(2) USE OF FUNDS.—Not later than 2 years after the date of enactment of the Drinking Water and Wastewater Infrastructure Act of 2021, the Administrator shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that describes the implementation of the grant program under this section, which shall include a description of the grant recipients, sources of funds for non-Federal share requirements under subsection (d), and grant amounts made available under the program.”.

SEC. 205. CLEAN WATER INFRASTRUCTURE RESILIENCY AND SUSTAINABILITY PROGRAM.

Title II of the Federal Water Pollution Control Act (33 U.S.C. 1281 et seq.) (as amended by section 202) is amended by adding at the end the following:

“SEC. 223. CLEAN WATER INFRASTRUCTURE RESILIENCY AND SUSTAINABILITY PROGRAM.

“(a) DEFINITIONS.—In this section:

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

“(A) a municipality; or

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

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

“(3) PROGRAM.—The term ‘program’ means the clean water infrastructure resilience and sustainability program established under subsection (b).

“(b) ESTABLISHMENT.—Subject to the availability of appropriations, the Administrator shall establish a clean water infrastructure resilience and sustainability program under which the Administrator shall award grants to eligible entities for the purpose of increasing the resilience of publicly owned treatment works to a natural hazard or cybersecurity vulnerabilities.

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

“(1) the conservation of water;

“(2) the enhancement of water use efficiency;

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

“(A) natural and engineered green infrastructure; and

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

“(4) the modification or relocation of an existing publicly owned treatment works, conveyance, or discharge system component that is at risk of being significantly impaired or damaged by a natural hazard;

“(5) the development and implementation of projects to increase the resilience of publicly owned treatment works to a natural hazard or cybersecurity vulnerabilities, as applicable; or

“(6) the enhancement of energy efficiency or the use and generation of recovered or re-

newable energy in the management, treatment, or conveyance of wastewater or stormwater.

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

“(1) a proposal of the project to be planned, designed, or constructed using funds under the program;

“(2) an identification of the natural hazard risk of the area where the proposed project is to be located or potential cybersecurity vulnerability, as applicable, to be addressed by the proposed project;

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

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

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

“(6) an explanation of how the proposed project is expected to enhance the resilience of the publicly owned treatment works to a natural hazard risk of the area where the proposed project is to be located or a potential cybersecurity vulnerability, as applicable.

“(e) GRANT AMOUNT AND OTHER FEDERAL REQUIREMENTS.—

“(1) COST SHARE.—A grant under the program shall not exceed 75 percent of the total cost of the proposed project.

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

“(f) REPORT.—Not later than 2 years after the date of enactment of the Drinking Water and Wastewater Infrastructure Act of 2021, the Administrator shall submit to Congress a report that describes the implementation of the program, which shall include an accounting of all grants awarded under the program, including a description of each grant recipient and each project funded using a grant under the program.

“(g) AUTHORIZATION OF APPROPRIATIONS.—

“(1) IN GENERAL.—There is authorized to be appropriated to carry out this section \$25,000,000 for each of fiscal years 2022 through 2026.

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

SEC. 206. SMALL AND MEDIUM PUBLICLY OWNED TREATMENT WORKS CIRCUIT RIDER PROGRAM.

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

“SEC. 224. SMALL AND MEDIUM PUBLICLY OWNED TREATMENT WORKS CIRCUIT RIDER PROGRAM.

“(a) ESTABLISHMENT.—Subject to the availability of appropriations, not later than 180 days after the date of enactment of this section, the Administrator shall establish a circuit rider program (referred to in this section as the ‘circuit rider program’) under which the Administrator shall award grants

to qualified nonprofit entities, as determined by the Administrator, to provide assistance to owners and operators of small and medium publicly owned treatment works to carry out the activities described in section 602(b)(13).

“(b) **LIMITATION.**—A grant provided under the circuit rider program shall be in an amount that is not more than \$75,000.

“(c) **PRIORITIZATION.**—In selecting recipients of grants under the circuit rider program, the Administrator shall give priority to qualified nonprofit entities, as determined by the Administrator, that would serve a community that—

“(1) has a history, for not less than the 10 years prior to the award of the grant, of unresolved wastewater issues, stormwater issues, or a combination of wastewater and stormwater issues;

“(2) is considered financially distressed;

“(3) faces the cumulative burden of stormwater and wastewater overflow issues; or

“(4) has previously failed to access Federal technical assistance due to cost-sharing requirements.

“(d) **COMMUNICATION.**—Each qualified nonprofit entity that receives funding under this section shall, before using that funding to undertake activities to carry out this section, consult with the State in which the assistance is to be expended or otherwise made available.

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

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

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

“(f) **AUTHORIZATION OF APPROPRIATIONS.**—

“(1) **IN GENERAL.**—There is authorized to be appropriated to carry out this section \$10,000,000 for the period of fiscal years 2022 through 2026.

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

SEC. 207. SMALL PUBLICLY OWNED TREATMENT WORKS EFFICIENCY GRANT PROGRAM.

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

“SEC. 225. SMALL PUBLICLY OWNED TREATMENT WORKS EFFICIENCY GRANT PROGRAM.

“(a) **ESTABLISHMENT.**—Subject to the availability of appropriations, not later than 180 days after the date of enactment of this section, the Administrator shall establish an efficiency grant program (referred to in this section as the ‘efficiency grant program’) under which the Administrator shall award grants to eligible entities for the replacement or repair of equipment that improves water or energy efficiency of small publicly owned treatment works, as identified in an efficiency audit.

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

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

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

“(B) a disadvantaged community; or

“(2) a nonprofit organization that seeks to assist a small publicly owned treatment works described in paragraph (1) to carry out the activities described in subsection (a).

“(c) **REPORT.**—Not later than 2 years after the date on which the Administrator estab-

lishes the efficiency grant program, and every 2 years thereafter, the Administrator shall submit to Congress a report describing—

“(1) each recipient of a grant under the efficiency grant program; and

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

“(d) **USE OF FUNDS.**—

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

“(2) **LIMITATION ON USE OF FUNDS.**—Of the amounts made available for grants under this section, not more than 2 percent may be used to pay the administrative costs of the Administrator.”

SEC. 208. GRANTS FOR CONSTRUCTION AND RE-FURNISHING OF INDIVIDUAL HOUSEHOLD DECENTRALIZED WASTEWATER SYSTEMS FOR INDIVIDUALS WITH LOW OR MODERATE INCOME.

Title II of the Federal Water Pollution Control Act (33 U.S.C. 1281 et seq.) (as amended by section 207) is amended by adding at the end the following:

“SEC. 226. GRANTS FOR CONSTRUCTION AND RE-FURNISHING OF INDIVIDUAL HOUSEHOLD DECENTRALIZED WASTEWATER SYSTEMS FOR INDIVIDUALS WITH LOW OR MODERATE INCOME.

“(a) **DEFINITION OF ELIGIBLE INDIVIDUAL.**—In this section, the term ‘eligible individual’ means a member of a low-income or moderate-income household, the members of which have a combined income (for the most recent 12-month period for which information is available) equal to not more than 50 percent of the median nonmetropolitan household income for the State or territory in which the household is located, according to the most recent decennial census.

“(b) **GRANT PROGRAM.**—

“(1) **IN GENERAL.**—Subject to the availability of appropriations, the Administrator shall establish a program under which the Administrator shall provide grants to private nonprofit organizations for the purpose of improving general welfare by providing assistance to eligible individuals—

“(A) for the construction, repair, or replacement of an individual household decentralized wastewater treatment system; or

“(B) for the installation of a larger decentralized wastewater system designed to provide treatment for 2 or more households in which eligible individuals reside, if—

“(i) site conditions at the households are unsuitable for the installation of an individually owned decentralized wastewater system;

“(ii) multiple examples of unsuitable site conditions exist in close geographic proximity to each other; and

“(iii) a larger decentralized wastewater system could be cost-effectively installed.

“(2) **APPLICATION.**—To be eligible to receive a grant under this subsection, a private nonprofit organization shall submit to the Administrator an application at such time, in such manner, and containing such information as the Administrator determines to be appropriate.

“(3) **PRIORITY.**—In awarding grants under this subsection, the Administrator shall give priority to applicants that have substantial expertise and experience in promoting the safe and effective use of individual household decentralized wastewater systems.

“(4) **ADMINISTRATIVE EXPENSES.**—A private nonprofit organization may use amounts provided under this subsection to pay the administrative expenses associated with the provision of the services described in paragraph (1), as the Administrator determines to be appropriate.

“(c) **GRANTS.**—

“(1) **IN GENERAL.**—Subject to paragraph (2), a private nonprofit organization shall use a grant provided under subsection (b) for the services described in paragraph (1) of that subsection.

“(2) **APPLICATION.**—To be eligible to receive the services described in subsection (b)(1), an eligible individual shall submit to the private nonprofit organization serving the area in which the individual household decentralized wastewater system of the eligible individuals is, or is proposed to be, located an application at such time, in such manner, and containing such information as the private nonprofit organization determines to be appropriate.

“(3) **PRIORITY.**—In awarding grants under this subsection, a private nonprofit organization shall give priority to any eligible individual who does not have access to a sanitary sewage disposal system.

“(d) **REPORT.**—Not later than 2 years after the date of enactment of this section, the Administrator shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report describing the recipients of grants under the program under this section and the results of the program under this section.

“(e) **AUTHORIZATION OF APPROPRIATIONS.**—

“(1) **IN GENERAL.**—There is authorized to be appropriated to the Administrator to carry out this section \$50,000,000 for each of fiscal years 2022 through 2026.

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

SEC. 209. CONNECTION TO PUBLICLY OWNED TREATMENT WORKS.

Title II of the Federal Water Pollution Control Act (33 U.S.C. 1281 et seq.) (as amended by section 208) is amended by adding at the end the following:

“SEC. 227. CONNECTION TO PUBLICLY OWNED TREATMENT WORKS.

“(a) **DEFINITIONS.**—In this section:

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

“(A) an owner or operator of a publicly owned treatment works that assists or is seeking to assist low-income or moderate-income individuals with connecting the household of the individual to the publicly owned treatment works; or

“(B) a nonprofit entity that assists low-income or moderate-income individuals with the costs associated with connecting the household of the individual to a publicly owned treatment works.

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

“(3) **QUALIFIED INDIVIDUAL.**—The term ‘qualified individual’ has the meaning given the term ‘eligible individual’ in section 603(j).

“(b) **ESTABLISHMENT.**—Subject to the availability of appropriations, the Administrator shall establish a competitive grant program with the purpose of improving general welfare, under which the Administrator awards grants to eligible entities to provide funds to assist qualified individuals in covering the costs incurred by the qualified individual in connecting the household of the qualified individual to a publicly owned treatment works.

“(c) **APPLICATION.**—

“(1) **IN GENERAL.**—An eligible entity seeking a grant under the program shall submit to the Administrator an application at such time, in such manner, and containing such

information as the Administrator may by regulation require.

“(2) REQUIREMENT.—Not later than 90 days after the date on which the Administrator receives an application from an eligible entity under paragraph (1), the Administrator shall notify the eligible entity of whether the Administrator will award a grant to the eligible entity under the program.

“(d) SELECTION CRITERIA.—In selecting recipients of grants under the program, the Administrator shall use the following criteria:

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

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

“(A) has an existing program to assist in covering the costs incurred in connecting a household to a publicly owned treatment works; or

“(B) seeks to create a program described in subparagraph (A).

“(e) REQUIREMENTS.—

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

“(A) the qualified individual has connected to the publicly owned treatment works voluntarily; and

“(B) if the eligible entity is not the owner or operator of the publicly owned treatment works to which the qualified individual has connected, the publicly owned treatment works to which the qualified individual has connected has agreed to the connection.

“(2) REIMBURSEMENTS FROM PUBLICLY OWNED TREATMENT WORKS.—An eligible entity that is an owner or operator of a publicly owned treatment works may reimburse a qualified individual that has already incurred the costs described in subsection (b) by—

“(A) reducing the amount otherwise owed by the qualified individual to the owner or operator for wastewater or other services provided by the owner or operator; or

“(B) providing a direct payment to the qualified individual.

“(f) AUTHORIZATION OF APPROPRIATIONS.—

“(1) IN GENERAL.—There is authorized to be appropriated to carry out the program \$40,000,000 for each of fiscal years 2022 through 2026.

“(2) LIMITATIONS ON USE OF FUNDS.—

“(A) SMALL SYSTEMS.—Of the amounts made available for grants under paragraph (1), to the extent that there are sufficient applications, not less than 15 percent shall be used to make grants to—

“(i) eligible entities described in subsection (a)(1)(A) that are owners and operators of publicly owned treatment works that serve fewer than 3,300 people; and

“(ii) eligible entities described in subsection (a)(1)(B) that provide the assistance described in that subsection in areas that are served by publicly owned treatment works that serve fewer than 3,300 people.

“(B) ADMINISTRATIVE COSTS.—Of the amounts made available for grants under paragraph (1), not more than 2 percent may be used to pay the administrative costs of the Administrator.”

SEC. 210. CLEAN WATER STATE REVOLVING FUNDS.

(a) USE OF FUNDS.—

(1) IN GENERAL.—Section 603 of the Federal Water Pollution Control Act (33 U.S.C. 1383) is amended—

(A) in subsection (d), in the matter preceding paragraph (1), by inserting “and provided in subsection (k)” after “State law”; and

(B) in subsection (1)—

(i) in paragraph (1), in the matter preceding subparagraph (A), by striking “, in-

cluding forgiveness of principal and negative interest loans” and inserting “(including forgiveness of principal, grants, negative interest loans, other loan forgiveness, and through buying, refinancing, or restructuring debt)”; and

(ii) in paragraph (3), by striking subparagraph (B) and inserting the following:

“(B) TOTAL AMOUNT OF SUBSIDIZATION.—

“(i) IN GENERAL.—For each fiscal year, of the amount of the capitalization grant received by the State under this title, the total amount of additional subsidization made available by a State under paragraph (1)—

“(I) may not exceed 30 percent; and

“(II) to the extent that there are sufficient applications for assistance to communities described in that paragraph, may not be less than 10 percent.

“(ii) EXCLUSION.—A loan from the water pollution control revolving fund of a State with an interest rate equal to or greater than 0 percent shall not be considered additional subsidization for purposes of this subparagraph.”; and

(C) by adding at the end the following:

“(k) ADDITIONAL USE OF FUNDS.—A State may use an additional 2 percent of the funds annually awarded to each State under this title for nonprofit organizations (as defined in section 104(w)) or State, regional, interstate, or municipal entities to provide technical assistance to rural, small, and tribal publicly owned treatment works (within the meaning of section 104(b)(8)(B)) in the State.”

(2) TECHNICAL AMENDMENT.—Section 104(w) of the Federal Water Pollution Control Act (33 U.S.C. 1254(w)) is amended by striking “treatment works” and inserting “treatment works”.

(b) CAPITALIZATION GRANT REAUTHORIZATION.—Section 607 of the Federal Water Pollution Control Act (33 U.S.C. 1387) is amended to read as follows:

“SEC. 607. AUTHORIZATION OF APPROPRIATIONS.

“There are authorized to be appropriated to carry out the purposes of this title—

“(1) \$2,400,000,000 for fiscal year 2022;

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

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

“(4) \$3,250,000,000 for each of fiscal years 2025 and 2026.”

SEC. 211. WATER INFRASTRUCTURE AND WORKFORCE INVESTMENT.

Section 4304 of the America's Water Infrastructure Act of 2018 (42 U.S.C. 300j-19e) is amended—

(1) in subsection (a)(3)—

(A) in subparagraph (A), by inserting “Tribal,” after “State,”; and

(B) in subparagraph (B), by striking “community-based organizations” and all that follows through the period at the end and inserting the following: “community-based organizations and public works departments or agencies to align water and wastewater utility workforce recruitment efforts, training programs, retention efforts, and community resources with water and wastewater utilities—

“(i) to accelerate career pipelines;

“(ii) to ensure the sustainability of the water and wastewater utility workforce; and

“(iii) to provide access to workforce opportunities.”;

(2) in subsection (b)—

(A) in paragraph (1)—

(i) by striking subparagraph (B);

(ii) in subparagraph (A), by striking “; and” at the end and inserting “, which may include—”

(iii) in the matter preceding subparagraph (A), by striking “program—” and all that follows through “to assist” in subparagraph (A) and inserting “program to assist”; and

(iv) by adding at the end the following:

“(A) expanding the use and availability of activities and resources that relate to the recruitment, including the promotion of diversity within that recruitment, of individuals to careers in the water and wastewater utility sector;

“(B) expanding the availability of training opportunities for—

“(i) individuals entering into the water and wastewater utility sector; and

“(ii) individuals seeking to advance careers within the water and wastewater utility sector; and

“(C) expanding the use and availability of activities and strategies, including the development of innovative activities and strategies, that relate to the maintenance and retention of a sustainable workforce in the water and wastewater utility sector.”;

(B) in paragraph (2)—

(i) in the matter preceding subparagraph (A), by striking “institutions—” and inserting “institutions, or public works departments and agencies—”; and

(ii) in subparagraph (A)—

(I) by striking clauses (ii) and (iii);

(II) in clause (i), by adding “or” at the end;

(III) by redesignating clause (i) as clause (ii);

(IV) by inserting before clause (ii) (as so redesignated) the following:

“(i) in the development of educational or recruitment materials and activities, including those materials and activities that specifically promote diversity within recruitment, for the water and wastewater utility workforce;”; and

(V) by adding at the end the following:

“(iii) developing activities and strategies that relate to the maintenance and retention of a sustainable workforce in the water and wastewater utility sector; and”;

(C) in paragraph (3)—

(i) in subparagraph (D)(ii), by inserting “or certification” after “training”; and

(ii) in subparagraph (E), by striking “ensure that incumbent water and waste water utilities workers” and inserting “are designed to retain incumbent water and wastewater utility workforce workers by ensuring that those workers”; and

(D) by striking paragraph (4) and inserting the following:

“(4) WORKING GROUP; REPORT.—

“(A) IN GENERAL.—The Administrator shall establish and coordinate a Federal inter-agency working group to address recruitment, training, and retention challenges in the water and wastewater utility workforce, which shall include representatives from—

“(i) the Department of Education;

“(ii) the Department of Labor;

“(iii) the Department of Agriculture;

“(iv) the Department of Veterans Affairs; and

“(v) other Federal agencies, as determined to be appropriate by the Administrator.

“(B) REPORT.—Not later than 2 years after the date of enactment of the Drinking Water and Wastewater Infrastructure Act of 2021, the Administrator, in coordination with the working group established under subparagraph (A), shall submit to Congress a report describing potential solutions to recruitment, training, and retention challenges in the water and wastewater utility workforce.

“(C) CONSULTATION.—In carrying out the duties of the working group established under subparagraph (A), the working group shall consult with State operator certification programs.

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

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

(4) by inserting before subsection (b) (as so redesignated) the following:

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

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

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

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

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

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

SEC. 213. WATER DATA SHARING PILOT PROGRAM.

(a) ESTABLISHMENT.—

(1) IN GENERAL.—Subject to the availability of appropriations, the Administrator shall establish a competitive grant pilot program (referred to in this section as the “pilot program”) under which the Administrator may award grants to eligible entities under subsection (b) to establish systems that improve the sharing of information concerning water quality, water infrastructure needs, and water technology, including cybersecurity technology, between States or among counties and other units of local government within a State, which may include—

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

(B) intercounty communications initiatives related to water data.

(2) REQUIREMENTS.—

(A) DATA SHARING.—The Internet of Water principles developed by the Nicholas Institute for Environmental Policy Solutions shall, to the extent practicable, guide any water data sharing efforts under the pilot program.

(B) USE OF EXISTING DATA.—The recipient of a grant under the pilot program to establish a website or data hub described in paragraph (1)(A) shall, to the extent practicable, leverage existing data sharing infrastructure.

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

(1) a State, county, or other unit of local government that—

(A) has a coastal watershed with significant pollution levels;

(B) has a water system with significant pollution levels; or

(C) has significant individual water infrastructure deficits; or

(2) a regional consortium established under subsection (d).

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

(d) REGIONAL CONSORTIA.—

(1) ESTABLISHMENT.—States may establish regional consortia in accordance with this subsection.

(2) REQUIREMENTS.—A regional consortium established under paragraph (1) shall—

(A) include not fewer than 2 States that have entered into a memorandum of understanding—

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

(ii) to share information, protocols, and procedures with respect to projects that evaluate, demonstrate, or install new and emerging, but proven, water technology;

(B) carry out projects—

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

(ii) that evaluate, demonstrate, or install new and emerging, but proven, water technology; and

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

(3) REGIONAL INTENDED USE PLAN.—A regional intended use plan of a regional consortium established under paragraph (1)—

(A) shall identify projects that the regional consortium intends to carry out, including projects that meet the requirements of paragraph (2)(B); and

(B) may include—

(i) projects included in an intended use plan of a State prepared under section 606(c) of the Federal Water Pollution Control Act (33 U.S.C. 1386(c)) within the regional consortium; and

(ii) projects not included in an intended use plan of a State prepared under section 606(c) of the Federal Water Pollution Control Act (33 U.S.C. 1386(c)) within the regional consortium.

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

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

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

(f) FUNDING.—

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

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

SEC. 214. FINAL RATING OPINION LETTERS.

Section 5028(a)(1)(D)(ii) of the Water Infrastructure Finance and Innovation Act of 2014 (33 U.S.C. 3907(a)(1)(D)(ii)) is amended by striking “final rating opinion letters from at least 2 rating agencies” and inserting “a final rating opinion letter from at least 1 rating agency”.

SEC. 215. WATER INFRASTRUCTURE FINANCING REAUTHORIZATION.

(a) IN GENERAL.—Section 5033 of the Water Infrastructure Finance and Innovation Act of 2014 (33 U.S.C. 3912) is amended—

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

“(3) FISCAL YEARS 2022 THROUGH 2026.—There is authorized to be appropriated to the Administrator to carry out this subtitle \$50,000,000 for each of fiscal years 2022 through 2026, to remain available until expended.”;

(2) in subsection (b)(2)—

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

(B) by striking “2020 and 2021” and inserting “2022 through 2026”; and

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

(b) OUTREACH PLAN.—The Water Infrastructure Finance and Innovation Act of 2014 (33 U.S.C. 3901 et seq.) is amended by adding at the end the following:

“SEC. 5036. OUTREACH PLAN.

“(a) DEFINITION OF RURAL COMMUNITY.—In this section, the term ‘rural community’ means a city, town, or unincorporated area that has a population of not more than 10,000 inhabitants.

“(b) OUTREACH REQUIRED.—Not later than 180 days after the date of enactment of this section, the Administrator, in consultation with relevant Federal agencies, shall develop and begin implementation of an outreach plan to promote financial assistance available under this subtitle to small communities and rural communities.”.

SEC. 216. SMALL AND DISADVANTAGED COMMUNITY ANALYSIS.

(a) ANALYSIS.—Not later than 2 years after the date of enactment of this Act, using environmental justice data of the Environmental Protection Agency, including data from the environmental justice mapping and screening tool of the Environmental Protection Agency, the Administrator shall carry out an analysis under which the Administrator shall assess the programs under title VI of the Federal Water Pollution Control Act (33 U.S.C. 1381 et seq.) and section 1452 of the Safe Drinking Water Act (42 U.S.C. 300j-12) to identify historical distributions of funds to small and disadvantaged communities and new opportunities and methods to improve on the distribution of funds under those programs to low-income communities, rural communities, minority communities, and communities of indigenous peoples, in accordance with Executive Order 12898 (42 U.S.C. 4321 note; 60 Fed. Reg. 6381; relating to Federal actions to address environmental justice in minority populations and low-income communities).

(b) REQUIREMENT.—The analysis under subsection (a) shall include an analysis, to the extent practicable, of communities in the United States that do not have access to drinking water or wastewater services.

(c) REPORT.—On completion of the analysis under subsection (a), the Administrator shall submit to the Committee on Environment and Public Works of the Senate and the Committees on Energy and Commerce and Transportation and Infrastructure of the House of Representatives a report describing—

(1) the results of the analysis; and

(2) the criteria the Administrator used in carrying out the analysis.

SEC. 217. STORMWATER INFRASTRUCTURE TECHNOLOGY.

(a) DEFINITIONS.—In this section:

(1) CENTER.—The term “center” means a center of excellence for stormwater control infrastructure established under subsection (b)(1).

(2) ELIGIBLE ENTITY.—The term “eligible entity” means—

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

(B) a local, regional, or other public entity that manages stormwater or wastewater resources or other related water infrastructure.

(3) ELIGIBLE INSTITUTION.—The term “eligible institution” means an institution of higher education, a research institution, or a nonprofit organization—

(A) that has demonstrated excellence in researching and developing new and emerging stormwater control infrastructure technologies; and

(B) with respect to a nonprofit organization, the core mission of which includes water management, as determined by the Administrator.

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

(1) ESTABLISHMENT OF CENTERS.—

(A) IN GENERAL.—Subject to the availability of appropriations, the Administrator

shall provide grants, on a competitive basis, to eligible institutions to establish and maintain not less than 3, and not more than 5, centers of excellence for new and emerging stormwater control infrastructure technologies, to be located in various regions throughout the United States.

(B) GENERAL OPERATION.—Each center shall—

(i) conduct research on new and emerging stormwater control infrastructure technologies that are relevant to the geographical region in which the center is located, including stormwater and sewer overflow reduction, other approaches to water resource enhancement, alternative funding approaches, and other environmental, economic, and social benefits, with the goal of improving the effectiveness, cost efficiency, and protection of public safety and water quality;

(ii) maintain a listing of—

(I) stormwater control infrastructure needs; and

(II) an analysis of new and emerging stormwater control infrastructure technologies that are available;

(iii) analyze whether additional financial programs for the implementation of new and emerging, but proven, stormwater control infrastructure technologies would be useful;

(iv) provide information regarding research conducted under clause (i) to the national electronic clearinghouse center for publication on the Internet website established under paragraph (3)(B)(i) to provide to the Federal Government and State, Tribal, and local governments and the private sector information regarding new and emerging, but proven, stormwater control infrastructure technologies;

(v) provide technical assistance to State, Tribal, and local governments to assist with the design, construction, operation, and maintenance of stormwater control infrastructure projects that use innovative technologies;

(vi) collaborate with institutions of higher education and private and public organizations, including community-based public-private partnerships and other stakeholders, in the geographical region in which the center is located; and

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

(2) APPLICATION.—To be eligible to receive a grant under this subsection, an eligible institution shall prepare and submit to the Administrator an application at such time, in such form, and containing such information as the Administrator may require.

(3) NATIONAL ELECTRONIC CLEARINGHOUSE CENTER.—Of the centers established under paragraph (1)(A), 1 shall—

(A) be designated as the “national electronic clearinghouse center”; and

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

(i) develop, operate, and maintain an Internet website and a public database that contains information relating to new and emerging, but proven, stormwater control infrastructure technologies; and

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

(4) AUTHORIZATION OF APPROPRIATIONS.—

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

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

(C) STORMWATER CONTROL INFRASTRUCTURE PROJECT GRANTS.—

(1) GRANT AUTHORITY.—Subject to the availability of appropriations, the Administrator shall provide grants, on a competitive basis, to eligible entities to carry out stormwater control infrastructure projects that incorporate new and emerging, but proven, stormwater control technologies in accordance with this subsection.

(2) STORMWATER CONTROL INFRASTRUCTURE PROJECTS.—

(A) PLANNING AND DEVELOPMENT GRANTS.—The Administrator may make planning and development grants under this subsection for the following projects:

(i) Planning and designing stormwater control infrastructure projects that incorporate new and emerging, but proven, stormwater control technologies, including engineering surveys, landscape plans, maps, long-term operations and maintenance plans, and implementation plans.

(ii) Identifying and developing standards necessary to accommodate stormwater control infrastructure projects, including those projects that incorporate new and emerging, but proven, stormwater control technologies.

(iii) Identifying and developing fee structures to provide financial support for design, installation, and operations and maintenance of stormwater control infrastructure, including new and emerging, but proven, stormwater control infrastructure technologies.

(iv) Developing approaches for community-based public-private partnerships for the financing and construction of stormwater control infrastructure technologies, including feasibility studies, stakeholder outreach, and needs assessments.

(v) Developing and delivering training and educational materials regarding new and emerging, but proven, stormwater control infrastructure technologies for distribution to—

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

(II) the public.

(B) IMPLEMENTATION GRANTS.—The Administrator may make implementation grants under this subsection for the following projects:

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

(ii) Protecting or restoring interconnected networks of natural areas that protect water quality.

(iii) Monitoring and evaluating the environmental, economic, or social benefits of stormwater control infrastructure technologies that incorporate new and emerging, but proven, stormwater control technology.

(iv) Implementing a best practices standard for stormwater control infrastructure programs.

(3) APPLICATION.—Except as otherwise provided in this section, to be eligible to receive a grant under this subsection, an eligible entity shall prepare and submit to the Administrator an application at such time, in such form, and containing such information as the Administrator may require, including, as applicable—

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

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

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

(D) a plan for the long-term operation and maintenance of the stormwater control infrastructure project and a tracking system, such as asset management practices.

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

(A) a community that—

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

(ii) is a small, rural, or disadvantaged community, as determined by the Administrator; or

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

(5) MAXIMUM AMOUNTS.—

(A) PLANNING AND DEVELOPMENT GRANTS.—

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

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

(B) IMPLEMENTATION GRANTS.—

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

(ii) AGGREGATE AMOUNT.—The total amount of all implementation grants provided under this subsection for a fiscal year shall be not more than $\frac{2}{3}$ of the total amount made available to carry out this subsection.

(6) FEDERAL SHARE.—

(A) IN GENERAL.—The Federal share of a grant provided under this subsection shall not exceed 80 percent of the total project cost.

(B) CREDIT FOR IMPLEMENTATION GRANTS.—The Administrator shall credit toward the non-Federal share of the cost of an implementation project carried out under this subsection the cost of planning, design, and construction work completed for the project using funds other than funds provided under this section.

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

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

(2) a detailed description of—

(A) the projects supported by those grants; and

(B) the outcomes of those projects;

(3) a description of the improvements in technology, environmental benefits, resources conserved, efficiencies, and other benefits of the projects funded under this section;

(4) recommendations for improvements to promote and support new and emerging, but proven, stormwater control infrastructure, including research into new and emerging technologies, for the centers, grants, and activities under this section; and

(5) a description of existing challenges concerning the use of new and emerging, but proven, stormwater control infrastructure.

(e) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—There is authorized to be appropriated to carry out this section (except for subsection (b)) \$10,000,000 for each of fiscal years 2022 through 2026.

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

SA 1489. Mr. LEE submitted an amendment intended to be proposed by

him to the bill S. 593, to restrict the imposition by the Secretary of Homeland Security of fines, penalties, duties, or tariffs applicable only to coastwise voyages, or prohibit otherwise qualified non-United States citizens from serving as crew, on specified vessels transporting passengers between the State of Washington and the State of Alaska, to address a Canadian cruise ship ban and the extraordinary impacts of the COVID-19 pandemic on Alaskan communities, and for other purposes; which was referred to the Committee on Commerce, Science, and Transportation; as follows:

Strike section 3 and insert the following:

SEC. 3. COVID-19 MITIGATION GUIDANCE FOR CRUISE SHIPS; RESUMPTION OF CRUISE SHIP OPERATIONS.

(a) COVID-19 MITIGATION GUIDANCE FOR CRUISE SHIPS.—

(1) IN GENERAL.—Not later than the earlier of 30 days after the date of enactment of this Act or June 1, 2021, the Secretary of Health and Human Services (referred to in this section as the “Secretary”), acting through the Director of the Centers for Disease Control and Prevention (referred to in this section as the “Director”) and in consultation with the interagency working group established under paragraph (3), shall issue recommendations for how to mitigate the risks of COVID-19 introduction, transmission, and spread among passengers and crew onboard cruise ships and ashore to communities. The Secretary may later update or modify such recommendations as necessary to mitigate such risks.

(2) APPLICABILITY.—The recommendations issued under paragraph (1) shall be applicable to all cruise ships subject to the order entitled “No Sail Order and Suspension of Further Embarkation”, issued by the Director on March 24, 2020 (85 Fed. Reg. 16628), or any modification to, or extension of, such order.

(3) WORKING GROUP.—

(A) ESTABLISHMENT.—There is hereby established, as soon as practicable after the date of enactment of this Act, an interagency working group, for purposes of developing, not later than 30 days after the date of enactment of this Act, the recommendations described in paragraph (1), in order to facilitate the resumption of passenger cruise ship operations in the United States.

(B) MEMBERS.—The interagency working group shall consist of—

(i) the Secretary (or designee) serving as Chair;

(ii) the Secretaries (or designees) of Transportation, of Homeland Security, and of Commerce; and

(iii) industry stakeholders appointed by the Secretary.

(C) SCOPE OF RECOMMENDATIONS.—In developing the recommendations described in paragraph (1), the interagency working group shall consider public health safety needs; risk mitigation strategies and health protocols for passengers and crew that are consistent with, and not substantially more burdensome than, the guidance applied by the Centers for Disease Control and Prevention to other business sectors and travel-related industries; and overall economic impacts, costs, and benefits of the recommendations.

(b) RESUMPTION OF CRUISE SHIP OPERATIONS.—On the date of enactment of this Act, the Secretary shall revoke the order entitled “Framework for Conditional Sailing and Initial Phase COVID-19 Testing Requirements for Protection of Crew”, issued by the Director on November 4, 2020 (85 Fed. Reg. 70153), under the authority of sections 361

and 365 of the Public Health Service Act (42 U.S.C. 264; 268), and any other order or regulation that prohibits the operation of all cruise ships in United States waters, requires such ships to obtain approval from the Director prior to operating, or otherwise acts as a de facto prohibition for cruise ship operations in the United States.

(c) RULES OF CONSTRUCTION.—Nothing in this section shall limit the authority of the Secretary to make and enforce such regulations that, in the judgment of the Secretary, are necessary to prevent the introduction, transmission, or spread of communicable diseases on any individual cruise ship presenting a public health threat by reason of the existence of any communicable disease.

SA 1490. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 593, to restrict the imposition by the Secretary of Homeland Security of fines, penalties, duties, or tariffs applicable only to coastwise voyages, or prohibit otherwise qualified non-United States citizens from serving as crew, on specified vessels transporting passengers between the State of Washington and the State of Alaska, to address a Canadian cruise ship ban and the extraordinary impacts of the COVID-19 pandemic on Alaskan communities, and for other purposes; which was referred to the Committee on Commerce, Science, and Transportation; as follows:

Strike section 3.

SA 1491. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 593, to restrict the imposition by the Secretary of Homeland Security of fines, penalties, duties, or tariffs applicable only to coastwise voyages, or prohibit otherwise qualified non-United States citizens from serving as crew, on specified vessels transporting passengers between the State of Washington and the State of Alaska, to address a Canadian cruise ship ban and the extraordinary impacts of the COVID-19 pandemic on Alaskan communities, and for other purposes; which was referred to the Committee on Commerce, Science, and Transportation; as follows:

Strike section 2 and all that follows and insert the following:

SEC. 2. VOYAGES DEEMED FOREIGN.

Any voyage carrying 800 or more passengers between the State of Washington and the State of Alaska shall be deemed a foreign voyage for purposes of the law of the United States for the period beginning on the date of enactment of this Act and ending on October 1, 2021.

AUTHORITY FOR COMMITTEES TO MEET

Mr. Kaine. Mr. President, I have 8 requests for committees to meet during today's session of the Senate. They have the approval of the Majority and Minority leaders.

Pursuant to rule XXVI, paragraph 5(a), of the Standing Rules of the Senate, the following committees are authorized to meet during today's session of the Senate:

COMMITTEE ON ARMED SERVICES

The Committee on Armed Services is authorized to meet during the session of the Senate on Thursday, April 29, 2021, at 9:30 a.m., to conduct a hearing.

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

The Committee on Banking, Housing, and Urban Affairs is authorized to meet during the session of the Senate on Thursday, April 29, 2021, at 10 a.m., to conduct a hearing.

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

The Committee on Commerce, Science, and Transportation is authorized to meet during the session of the Senate on Thursday, April 29, 2021, at 10 a.m., to conduct a hearing on a nomination.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

The Committee on Energy and Natural Resources is authorized to meet during the session of the Senate on Thursday, April 29, 2021, at 10 a.m., to conduct a hearing on a nomination.

COMMITTEE ON FINANCE

The Committee on Finance is authorized to meet during the session of the Senate on Thursday, April 29, 2021, at 10 a.m., to conduct a briefing.

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

The Committee on Health, Education, Labor, and Pensions is authorized to meet during the session of the Senate on Thursday, April 29, 2021, at 10 a.m., to conduct a hearing on a nomination.

COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary is authorized to meet during the session of the Senate on Thursday, April 29, 2021, at 2:30 p.m., to conduct a hearing on a nomination.

SPECIAL COMMITTEE ON AGING

The Special Committee on Aging is authorized to meet during the session of the Senate on Thursday, April 29, 2021, at 9:30 a.m., to conduct a hearing.

APPOINTMENTS

The PRESIDING OFFICER. The Chair, on behalf of the President pro tempore, pursuant to the provisions of Public Law 99-591, as amended by Public Law 102-221, appoints the following member of the United States Senate for appointment as a Senate Trustee to the James Madison Memorial Fellowship Foundation: The Honorable JOE MANCHIN III of West Virginia.

The Chair, on behalf of the President of the Senate, pursuant to Public Law 108-286, appoints the following Members to serve on the Congressional-Executive Commission on the People's Republic of China: The Honorable JEFF MERKLEY of Oregon (Chairman); The Honorable DIANNE FEINSTEIN of California; the Honorable ANGUS S. KING JR of Maine; and The Honorable JON OSSOFF of Georgia.

The Chair, pursuant to the provisions of Public Law 116-156, on behalf of the