

Section by Section Summary of the Carper-Capito Substitute to S. 914, the Drinking Water and Wastewater Infrastructure Act of 2021

(as filed on April 27, 2021)

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

Sec. 1. Short Title; Table of Contents

This Act may be cited as the “Drinking Water and Wastewater Infrastructure Act of 2021.

Sec. 2. Definition of Administrator

In this Act, the term “Administrator” means the Administrator of the Environmental Protection Agency.

Title I: Drinking Water

Sec. 101. Technical Assistance and Grants for Emergencies Affecting Public Water Systems

This section extends an expired authority in the Safe Drinking Water Act (SDWA), 42 U.S.C. 300j-1, to provide resources to communities that face a public water system emergency. The fund will help mitigate drinking water threats to public health, and is amended to expand the definition of emergency situations to include an intrusion of lead into the drinking water supply or an emergency situation resulting from a cybersecurity event. The program is reauthorized at \$35 million for each of fiscal years from 2022 through 2026.

In addition, this section also extends the \$15 million authorization for technical assistance to public water systems for five years, from fiscal years 2022 through 2026.

The section also makes nonprofit organizations eligible recipients of funding to provide technical assistance to small public water systems in order to achieve compliance with the SDWA. Nonprofits that receive funding under this section are required to consult with the State in which the assistance is to be expended or otherwise made available before carrying out its planned activities.

This section also requires the Administrator to evaluate, using compliance data from the agency’s Safe Drinking Water Information System, the compliance of community water systems and wastewater systems with environmental, health, and safety requirements under SDWA and CWA.

Sec. 102. Drinking Water State Revolving Loan Funds

This section of the substitute incorporates technical changes to S. 914, as reported that were requested by the Environmental Protection Agency.

This section reauthorizes the Drinking Water State Revolving Loan Funds (DWSRF) and increases the minimum percentage of additional subsidy that must go to disadvantaged

communities from 6 percent to 12 percent. This section also broadens the discretionary authority of states to assist disadvantaged communities with grants, negative interest loans, forgiveness of principal, and loan forgiveness. States may also buy, refinance, or restructure the debt of a disadvantaged community.

Sec.102 also reauthorizes a provision in SDWA that allows for up to 2 percent of the DWSRF to be used by nonprofit organizations to provide technical assistance for small systems in order to achieve compliance.

This section also makes permanent the American Iron and Steel requirement for the Drinking Water State Revolving Loan Fund, also known as the “Buy America” requirement.

Under this section DWSRF is reauthorized at a level of \$2.4 billion in fiscal year 2022, \$2.75 billion in fiscal year 2023, \$3 billion in fiscal year 2024, and \$3.25 billion for fiscal years 2025 and 2026.

Sec. 103. Source Water Petition Program

The section reauthorizes the Source Water Petition Program, which allows owners and operators of community water systems, municipal or local governments, and political subdivisions of a state to submit a source water quality protection partnership petition to the State requesting that the State assist in the local development of a voluntary, incentive-based partnership among the owner, operator, relevant stakeholder or government. These petition partnerships are created to help affected parties reduce drinking water contaminants, obtain financial or technical assistance, or develop recommendations for the long-term protection of a community water system’s source water.

This section also amends the program to allow states to designate a county to act on behalf of an unincorporated area in the petition, should the unincorporated area choose to enter such a partnership, solely for the purpose of pursuing a source water petition for a specific matter.

This program is reauthorized through 2026 at the current funding level of \$5 million annually.

Sec. 104. Assistance for Small and Disadvantaged Communities

This section of the substitute incorporates technical changes to S. 914, as reported that were requested by the Environmental Protection Agency.

This section addresses multiple programs that fall under Section 1459A of SDWA (42 U.S.C. 300j–19a).

The first part of this section reauthorizes and modifies the Assistance for Small and Disadvantaged Communities Program. This program provides grants to disadvantaged communities or communities with a population of under 10,000 that lack household drinking water or wastewater services or that are served by a public water system that violates or exceeds a requirement of the national primary drinking water regulations. Grants can be used to assist communities in coming into compliance with drinking water regulations, to provide programs for

household water quality testing, or to provide assistance that directly and primarily benefits the disadvantaged community on a per-household basis.

Specifically, this section expands the program to allow for the use of funds to purchase filters and filtration systems that remove contaminants of concern from public drinking water systems and for providing information regarding proper filtration use and maintenance and options regarding replacing lead service lines or other sources of lead from water systems and technical assistance. Further, the section changes the required non-federal cost match for the grant from 45 percent to 10 percent and allows that 10 percent to be waived at the discretion of the Administrator if the Administrator determines that an eligible entity is unable to pay, or would experience significant financial hardship if required to pay, the non-Federal share. This section authorizes the program for \$70 million in fiscal year 2022, \$80 million in fiscal year 2023, \$100 million in fiscal year 2024, \$120 million in fiscal year 2025, and \$140 million in fiscal year 2026.

The second part of this section reauthorizes the existing Drinking Water Infrastructure Risk and Resiliency program for small communities. Funds under this program can be used to address threats from natural hazards or extreme weather events (including extreme weather events that are related to climate change). The program is reauthorized from 2022 through 2026 at a level of \$25 million per year. The section includes a non-federal cost share of 10 percent that can be waived by the Administrator.

Third, this section also instructs the Administrator to create a grant program to provide grants to a utility or nonprofit organization to voluntarily connect a low-income household to a municipal public drinking water system. This program is authorized at \$20 million per year for each of fiscal years 2022 through 2026.

Finally, this section creates an additional competitive grant program administered by the EPA and distributed to states that have demonstrated high numbers of underserved communities. This grant program is authorized at \$50 million for each of fiscal years 2022 through 2026.

Sec. 105. Reducing Lead in Drinking Water

This section of the substitute incorporates technical changes to S. 914, as reported that were requested by the Environmental Protection Agency.

This section reauthorizes EPA's lead reduction projects grant program under 42 U.S.C. 300j-19b and increases the program's authorization to \$100 million annually through fiscal year 2026. It also amends the grant program to clarify that the program is intended for the replacement of any lead service line, and that eligible entities shall give priority for lead pipe service line replacement to 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.

This section also requires that eligible entities offer to cover the total cost of replacing a lead service line for low-income homeowners. It also requires eligible entities to demonstrate that they have considered feasible alternatives to lead line replacement for reducing the concentration

of lead in drinking water, and requires the eligible entity to notify the state of any planned replacement of lead service lines under this program and to coordinate, where practicable, with other relevant infrastructure projects.

This section also amends SDWA to create a pilot program for water systems that have conducted lead inventoring to conclude that the system has, or is suspected to have, at least 30 percent of service lines contain lead, based on available data, information or resources, including existing lead inventoring. Two years after the first grant is awarded, the EPA must submit a report to Congress describing the recipients of this grant money, the type of lead inventoring used, and the accuracy and utility of the inventoring in locating lead service lines. The pilot program is authorized for \$10 million and the funds are to remain available until expended.

Sec. 106. Operational Sustainability of Small Public Water Systems

This section of the substitute incorporates technical changes to S. 914, as reported that were requested by the Environmental Protection Agency.

This section establishes an operational sustainability program under SDWA for small public water systems, including those owned by an Indian Tribe. The program is designed to help improve the ability of these systems to respond to water infrastructure failures through asset management of drinking water systems, pumps, wells, valves, treatment systems and other pertinent activities. These activities include, but are not limited to, identification and prevention of potable water loss due to leaks, breaks and other metering or infrastructure failures. It also allows for the deployment of strategies, techniques, and technologies to enhance operational sustainability and effective use of water resources through water reuse.

This program has a waivable non-federal share of 10 percent and is authorized at \$50 million for each of fiscal years 2022 through 2026.

Sec. 107. Midsize and Large Drinking Water System Infrastructure Resilience and Sustainability Program

This section of the substitute incorporates technical changes to S. 914, as reported that were requested by the Environmental Protection Agency.

This section creates a grant program to assist midsize and large drinking water systems with increasing their resilience to natural hazards, cybersecurity vulnerabilities, and extreme weather events.

Funds may be used to promote water conservation enhance water-efficiency, create desalination facilities, relocate or renovate existing vulnerable water systems, enhance water supply, and implement measures to increase resiliency to natural hazards, cybersecurity vulnerabilities, or extreme weather events, including extreme weather events that are a result of climate change. Funds can also be used for the formation of regional water partnerships to collaboratively address documented water shortages.

Of the funding provided, 50 percent must be used to provide grants to eligible entities serving a population of 10,000 to 100,000. The remaining 50 percent is to be used for eligible entities that serves a population equal to or greater than 100,000.

This program is authorized at \$50 million for each of fiscal years 2022 through 2026.

Sec. 108. Needs Assessment for Nationwide Rural and Urban Low-Income Community Water Assistance

This section of the substitute incorporates technical changes to S. 914, as reported that were requested by the Environmental Protection Agency.

This section requires the Administrator, in consultation with relevant stakeholders, to study the prevalence of municipalities, public entities, or tribal governments that are serviced by large, medium and rural service providers that service a disproportionate percentage of qualifying households with need or that have taken on an unsustainable level of debt due to customer nonpayment. This report to Congress must include a definition of the term “affordable access to water services” and “lack of affordable access to water services” as well as recommendations on the best methods to reduce the prevalence of a lack of affordable access to water services.

This section authorizes \$5 million, to remain available until expended, to conduct the study.

Sec. 109. Rural and Low Income Water Assistance Pilot Program

This section of the substitute incorporates technical changes to S. 914, as reported that were requested by the Environmental Protection Agency.

This section directs the Administrator to establish, not later than two years after the date of enactment of this Act, a pilot program to address water affordability. The pilot program will 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.

Types of assistance could include direct financial assistance, a lifeline rate, bill discounting, special hardship provisions, a percentage-of-income payment plant, or debt relief for the eligible entity of the community water system owned by the eligible entity for arrears payments if it is determined by the Administrator to be in the interest of public health.

The section directs the Administrator to award a maximum of 40 grants under the pilot program, 8 for eligible entities that operate or exercise primary enforcement over responsibility over a rural water service provider; 8 for eligible entities that own or operate a medium water service provider; 8 for eligible entities that own or operate a large water service provider of not more than 500,000 people; and 8 for eligible entities that own or operate a community water system, treatment works, or municipal separate storm sewer system that services a disadvantaged community. For these projects, priority shall be given to eligible entities that serve a disproportionate percentage, as determined by the Administrator, of qualifying household with need; are subject to State or Federal enforcement actions relating to compliance with the Clean

Water Act or the Safe Drinking Water Act; or maintain or participate in an existing community assistance program with objectives similar to the objectives of the pilot program.

The section requires the Administrator to submit an annual report that summarizes the use of grant funds by eligible entities not later than two years after the grants are first distributed to eligible entities on the results of the pilot program. Eligible entities must also submit annual reports to the Administrator that summarize key features of the assistance provided by the eligible entities, including, sources of funding used to supplement federal funds, and eligibility criteria.

Sec. 110. Lead Contamination in School Drinking Water

This section of the substitute incorporates technical changes to S. 914, as reported that were requested by the Environmental Protection Agency.

This section amends the existing Voluntary School and Childcare Lead Testing Grant Program to make public water systems and eligible nonprofit organizations that service schools and childcare locations eligible grant recipients. It also expands the program to allow funds to be used for compliance monitoring as well as lead reduction projects.

The program is authorized for \$30 million for fiscal year 2022, \$35 million for fiscal year 2023, \$40 million for fiscal year 2024, \$45 million for fiscal year 2025 and \$50 million for fiscal year 2026.

Sec. 111. Indian Reservation Drinking Water Program

This section amends the Tribal Drinking Water Program to require that 50 percent of the program funds be used nationally, while the other 50 percent of the funds must be used to fund fifty projects equally divided between the Missouri River Basin, Upper Rio Grande River Basin, the Columbia River Basin, the Lower Colorado River Basin, and the Arkansas-White-Red River Basin. In addition, two projects in the Missouri River Basin must go to a reservation that serves more than one federally recognized tribe.

The program is also amended to include sanitation projects, and directs the Administrator to give priority to projects that 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; that 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 that would address the underlying factors contributing to 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.

The program is authorized for \$50 million for each of fiscal years 2022 through 2026.

Sec. 112. Advanced Drinking Water Technologies

This section requires the Administrator to carry out a study, within one year of the date of enactment of the bill, to examine the state of existing and emerging technologies that could address cybersecurity vulnerabilities, or enhance or could enhance the treatment, monitoring, affordability, efficiency, and safety of drinking water and wastewater provided by public water systems.

This section also creates a grant program for public water systems that serve a population of 100,000 or fewer people or disadvantaged communities. The grant program is designed to identify and/or deploy drinking water infrastructure technology that is new or emerging, but proven, to enhance the treatment, monitoring, affordability, efficiency, and safety of the drinking water provided. There is a waivable 10 percent non-federal share, and a single grant cannot exceed \$500,000.

This program is authorized at \$10 million for each fiscal year 2022 through 2026.

Sec. 113. Cybersecurity Support for Public Water Systems

This section requires the Administrator to 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. In developing the Prioritization Framework, the Administrator shall coordinate with the Director of the Cybersecurity and Infrastructure Security Agency, and shall consider whether cybersecurity vulnerabilities for a public water system have been identified under 42 U.S.C. 1433; the capacity of a public water system to remediate a cybersecurity vulnerability without additional Federal support; whether a public water system serves a defense installation or critical national security asset; and whether a public water system, if degraded or rendered inoperable due to an incident, would cause a cascading failure of other critical infrastructure.

Additionally, not later than 270 days after enactment the Administrator shall develop a Technical Cybersecurity Support Plan for public water systems. In developing the Technical Cybersecurity Support Plan for public water systems, the Administrator shall coordinate with the Director of the Cybersecurity and Infrastructure Security Agency, and shall use existing authorities of the Administrator and the Director for providing voluntary support to public water systems and the Prioritization Framework.

In developing both the Prioritization Framework and the Support Plan, the Administrator shall consult with such Federal or non-Federal entities as determined to be appropriate by the Administrator. The Administrator must also submit a report on the Framework and the Plan to Congress.

Title II: Clean Water

Sec. 201. Research, Investigations, Training, and Information

This section increases the authorization of appropriations under the Federal Water Pollution Control Act, more commonly known as the “Clean Water Act” (CWA), for technical assistance grants to nonprofit agencies assisting rural, small, and tribal municipalities.

These activities include providing technical assistance and training on water quality; ways to achieve and maintain compliance with laws and regulations; assisting utilities with financing opportunities; and providing information regarding planning, design, construction, and operation of treatment works and decentralized wastewater systems. Nonprofits that receive funding under this section are required to consult with the State in which the assistance is to be expended or otherwise made available before carrying out its planned activities.

It also requires the Administrator to submit a report to Congress describing the implementation of the grants no later than two years after the date of enactment.

This section extends the authorization to fiscal year 2026 and increases authorized appropriations to \$75 million annually.

Sec. 202. Wastewater Efficiency Grant Pilot Program

This section creates an EPA pilot program to assist with fifteen projects by publicly-owned treatment works to create or improve waste-to-energy systems. Grants may be awarded for sludge collection systems, anaerobic digesters, methane capture or transfer, and other emerging technologies that transform waste to energy. It requires the EPA to submit to Congress a report every two years regarding who received these grants, what activities these funds covered, and the impacts of these projects.

This section authorizes appropriations for the program of \$20 million for each of fiscal years 2022 through 2026.

Sec. 203. Pilot Programs for Alternative Water Source Projects

This section reauthorizes an existing grant program for alternative water source projects. The grants may be used for engineering, design, construction, and final testing of alternative water source projects designed to meet critical water supply needs.

Alternative water source projects include those projects that provide alternative sources of water through conserving, managing, reclaiming or reusing water, wastewater, or stormwater for groundwater recharge, potable reuse, or other purposes.

The program is also amended to clarify that a project that has received construction funds under the reclamation and reuse program conducted under the Reclamation Projects Authorization and Adjustment Act of 1992 (43 U.S.C. 390h et seq.) shall not be eligible for grant assistance under this section.

The program is authorized for \$25 million for each of fiscal years 2022 through 2026.

Sec. 204 Sewer Overflow and Stormwater Reuse Municipal Grants

This section of the substitute incorporates technical changes to S. 914, as reported that were requested by the Environmental Protection Agency.

This section reauthorizes the existing sewer overflow and stormwater reuse municipal grants program. These grants may be used for the planning, construction and design of treatment works for municipal combined sewer overflows, sanitary sewer overflows, or stormwater, and any measures to manage, reduce, or recapture stormwater or subsurface drainage. This section also adds notification systems that provide information on dangerous water conditions to communities as an allowable use for grants.

In addition, the section creates a new 25 percent set-aside for projects in rural or financially distressed communities, to the extent there are sufficient applications. It also requires the Administrator, to the maximum extent practicable, to work with States to prevent the non-Federal share requirements from being passed on to rural and financially distressed communities. The Administrator must also include in the report a description of the extent to which States pass costs associated with the non-Federal share requirements to local communities, with a focus on rural and financially-distressed communities.

The program is reauthorized with increased funding of \$280 million for fiscal years 2022 through 2026.

Sec. 205. Clean Water Infrastructure Resiliency and Sustainability Program

The section establishes a “Clean Water Infrastructure Resiliency and Sustainability Program,” to address rising threats to clean water infrastructure from climate change. An owner or operator of a publicly-owned treatment works can use the grants to assist in the planning, design, construction, implementation, operation, or maintenance of a program or project to increase the resiliency or adaptability of water systems to natural hazards, cybersecurity vulnerabilities, or extreme weather events, including those related to climate change. The section establishes two non-federal cost shares: a 10 percent non-federal cost-share for small or disadvantaged communities and a non-federal cost-share of 25 percent for all other communities.

The program is authorized for \$25 million for fiscal years 2022 through 2026.

Sec. 206. Small and Medium Publicly-Owned Treatment Works Circuit Rider Program

This section creates a circuit rider program that awards grants to provide on-site technical assistance to owners and operators of small and medium publicly-owned treatment works. The program was created as a result of a decrease in technical assistance grants to local, on-site technical assistance providers.

The section requires nonprofits that receive funding under this section to consult with the State in which the assistance is to be expended or otherwise made available before carrying out its planned activities.

This section also requires the EPA to submit to Congress an annual report regarding grant recipients and activities covered by the grants.

This section authorizes appropriations for the program of \$10 million for each of fiscal years 2022 through 2026.

Sec. 207. Small Publicly-Owned Treatment Works Efficiency Grant Program

This section creates an EPA grant program, subject to appropriations, to assist small publicly-owned treatment works that serve fewer than 10,000 people, or a disadvantaged community, with replacing or repairing equipment to increase water efficiency or energy efficiency. It also requires that not less than 15 percent of funds made available under the program be used for grants to publicly-owned treatment works that serve fewer than 3,300 people.

Owner or operators of small publicly-owned treatment works and nonprofit organizations that seek to assist small publicly-owned treatment works are eligible to receive funding under this program.

The Administrator must also submit a report to Congress not later than two years after the Administrator establishes the efficiency grant program describing the recipients of each grant and a summary of the activities carried out under the grant program.

Sec. 208. Grants for Construction and Refurbishing of Individual Household Decentralized Wastewater Systems for Individuals with Low or Moderate Income

This section creates a grant program that allows nonprofit organizations to receive funds for the construction, repair, or replacement of decentralized wastewater systems for low or moderate income households, or groups of such households. The program gives priority to households that do not have access to sanitary sewer disposal systems.

This section requires that EPA submit a report to Congress on the results of the program within two years of enactment of the Act.

This section authorizes appropriations for the program of \$50 million for each of fiscal years 2022 through 2026.

Sec. 209. Connection to Publicly-Owned Treatment Works

This section creates a grant program that allows the EPA to provide grants to publicly-owned treatment works or nonprofit organizations to cover the costs incurred from connecting a household to a municipal or private wastewater system.

This section authorizes appropriations for the program of \$40 million for each of fiscal years 2022 through 2026.

Sec. 210. Clean Water State Revolving Funds

This section of the substitute incorporates technical changes to S. 914, as reported that were requested by the Environmental Protection Agency.

This reauthorizes the Clean Water State Revolving Loan Fund (CWSRF). It also amends the CWA to require, to the extent there are sufficient applications, a minimum of 10 percent of a state's CWSRF to be used for grants, negative interest loans, and loan forgiveness, or to buy, refinance or restructure debt for disadvantaged communities as determined by the state. The section also specifies that the amount of its capitalization grant a state can spend for additional subsidies may not exceed 30 percent.

This section also allows for up to two percent of a state's CWSRF to be used by nonprofit organizations to provide technical assistance to small, rural and tribal publicly-owned treatment works.

The CWSRF is reauthorized at \$2.4 billion in fiscal year 2022, \$2.75 billion in fiscal year 2023, \$3 billion in fiscal year 2024, and \$3.25 billion for fiscal year 2025 and 2026.

Sec. 211. Innovative Water Infrastructure Workforce Development Program

This section reauthorizes an existing competitive grant program to promote workforce development in the water utility sector. The section modifies the program to make public works departments and agencies eligible for these grants in addition to schools. It also amends the program to align water and wastewater utility workforce recruitment efforts, including the promotion of diversity, training programs, retention efforts, and community resources with water and wastewater utilities.

This section also directs the Administrator to create a federal interagency working group to address recruitment, training and retention challenges in the water and wastewater utility workforce. In carrying out the duties of the working group, the working group is required to consult with State operator certification programs.

Not later than one year after the date of enactment, the Administrator, in coordination with the working group, shall submit to Congress a report describing the potential solutions to recruitment, training, and retention challenges in the water and wastewater utility workforce.

This section increases the grant program's authorization to \$5 million for fiscal years 2022 through 2026.

Sec. 212. Grants to Alaska to Improve Sanitation in Rural and Native Villages

This section reauthorizes a program that provides grants to the State of Alaska for the benefit of rural and Alaska Native Villages for the development and construction of public water systems and wastewater systems to improve the health and sanitation conditions in the villages. It also increases the federal cost share for projects under this program from 50 percent to 75 percent.

This section reauthorizes appropriations for the program at \$40 million for fiscal years 2022 through 2024, \$50 million for fiscal year 2025, and \$60 million for fiscal year 2026.

Sec. 213. Water Data Sharing Pilot Program

This section amends the CWA to require EPA to establish a pilot program for states to encourage intrastate and interstate information sharing.

The grant program funds information sharing among communities regarding water quality, water infrastructure needs, and water technology. Eligibility for funding is available to states, and regional consortia of states, that have either a coastal watershed that has significant pollution levels, a water system with significant pollution levels, or a substantive wastewater infrastructure deficit.

This section also authorizes funds to assist states in the creation of multi-state consortiums to exchange water data; share information regarding water practices, protocols, technologies, and procedures; and establish regional intended use plans.

Finally, this section requires the Administrator to submit a report to Congress of the awarded grants and recipients.

This section authorizes appropriations for the grant program of \$15 million for each of fiscal years 2022 through 2026.

Sec. 214. Final Rating Opinion Letters

This section changes the WIFIA requirement that mandates each WIFIA project applicant must provide two final agency rating opinion letters. Under this section, project applicants will only need to provide one final agency rating opinion letter, similar to the requirements of other federal loan programs, prior to final acceptance and financing of the project.

Sec. 215. Water Infrastructure Financing Reauthorization

This section reauthorizes WIFIA through 2026 at the current funding level of \$50 million annually. It also adds a requirement that, not later than 180 days after enactment, the Administrator, in consultation with relevant Federal agencies, 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

This section requires EPA to do an analysis of the historical distribution of funds to low-income, rural, and minority communities, as well as communities of indigenous peoples, under SDWA and CWA programs. The EPA is also required to analyze new opportunities and methods to improve the distribution of funds under these programs to those same communities, and must include an analysis, to the extent practicable, of communities in the United States that do not have access to drinking water or wastewater services.

EPA must submit a report to Congress upon completion of the analysis describing the results of the analysis and the criteria used by the Administrator in carrying out the analysis.

Sec. 217. Stormwater Infrastructure Technology

This section creates a grant program to assist research institutions, nonprofits, and institutions of higher education with research on new and emerging stormwater control technology. The goal of the program is to improve the effectiveness, cost efficiencies, and protections of public safety and water quality in their operations. The eligible research includes stormwater and sewer overflow reduction, project enhancement, and other infrastructure.

The section authorizes appropriations of \$5 million for each of fiscal years 2022 through 2026 to establish Centers of Excellence for stormwater control infrastructure and create a public website to share the results of the research.

This section also creates a grant program to fund the development of standards, create fee structures, and develop and deliver training and educational materials for stormwater.

This section authorizes appropriations for the grant program of \$10 million for each of fiscal years 2022 through 2026 at a 20-percent non-federal cost share.

Sec. 218. Water Reuse Interagency Working Group

This section instructs the EPA to establish a Water Reuse Interagency Working Group to develop and coordinate actions, tools, and resources to advance water reuse across the United States. It directs the working group to implement EPA's February 2020 National Water Reuse Action Plan, which creates opportunities for water reuse in the mission areas of each of the federal agencies. Every two years, the Administrator shall publish a report on the activities and findings of this Working Group. This group shall sunset in six years, unless the Administrator chooses to extend the Working Group.

Sec. 219. Advanced Clean Water Technologies Study

This section directs the Administrator within one year after the date of enactment, and subject to the availability of appropriations to carry out a study that examines the state of existing and potential future technology, including technology that could address cybersecurity threats, or that enhances or could enhance the treatment, monitoring, affordability, efficiency, and safety of wastewater services provided by a treatment works. The Administrator shall submit a report on the study to Congress.

Sec. 220. Clean Watersheds Needs Survey

This section requires the Administrator to conduct and complete an assessment of wastewater system capital improvement needs of all treatment works in the United States that are eligible for assistance from State water pollution control revolving funds established under the CWA. The report must be completed not later than 18 months after the date of enactment of this Act, and not less frequently than once every four years thereafter.

A report must be submitted to Congress describing the results of the assessment.

This section authorizes \$5 million, to remain available until expended, to carry out the initial needs survey.

Sec. 221. Water Resources Research Act Amendments

This section builds on an existing grant program for research institutions for projects regarding water supply reliability and other water issues. This section strikes “water phenomena” as a potential field for research and replaces it with the more general term, “water resources.” This section sets the cost-share for funding to a 50 percent non-federal match. This section requires that every five years each institution that receives these grants be reevaluated on the relevancy, quality, and effectiveness of the work performed with this funding.

This section reauthorizes the grant program for \$12 million for each fiscal year 2022 through 2025. This section also provides additional authorization of appropriations of \$3 million for each fiscal year 2022 through 2025 for research focused on interstate water problems.

Sec. 222. Enhanced Aquifer Use and Recharge

This section requires the Administrator, subject to the availability of appropriations, to provide funding to carry out groundwater research on enhanced aquifer use and recharge in support of sole-source aquifers. Specifically, this section requires that the Administrator shall use not less than 50 percent of any funding made available to provide one grant to a state, unit of local government, or Indian Tribe to carry out activities that would directly support that research. The remainder of the funding shall be provided to one research center, which shall establish a formal research relationship for the purpose of coordinating efforts under this program.

The program is authorized for \$5 million for each fiscal year 2022 through 2026.