

May 3, 2021

AMWA-backed water infrastructure bill sails through Senate

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The U.S. Senate last week gave overwhelming (https://www.senate.gov/legislative/LIS/roll_call_lists/roll_call_vote_cfm.cfm?congress=117&session=1&vote=00178) approval to a major water infrastructure bill (<https://www.congress.gov/bill/117th-congress/senate-bill/914>) that would establish and reauthorize a number of essential drinking water and wastewater assistance programs. The measure will now head to the House of Representatives, where a committee recently floated (<https://www.amwa.net/article/house-democrats-propose-billions-water-infrastructure-attach-strings>) its own drinking water infrastructure proposals.

AMWA supported (<https://www.amwa.net/letter/amwa-letter-support-drinking-water-and-wastewater-infrastructure-act>) S. 914, the Drinking Water and Wastewater Infrastructure Act, when it was approved (<https://www.amwa.net/article/senate-panel-approves-bill-water-resilience-funding-low-income-affordability-program>) by the Senate Environment and Public Works Committee in March, and the association remained in contact with Senate staff as the bill language was refined in the leadup to consideration on the Senate floor. The major components of the bill remained unchanged as the full Senate gave its approval, including provisions to reauthorize:

- The Drinking Water and Clean Water State Revolving Funds, each at a total of \$14.65 billion over five years;
- The Water Infrastructure Finance and Innovation Act (WIFIA) program at \$50 million per year for five years;
- EPA's Reducing Lead in Drinking Water Grants at \$100 million per year for five years; and
- The Drinking Water System Infrastructure Resilience and Sustainability Program, which helps small and disadvantaged communities prepare drinking water infrastructure for the impacts of climate change, at \$25 million per year for five years.

Also preserved were provisions to establish several new programs, such as:

- A Midsize and Large Drinking Water System Infrastructure Resilience and Sustainability Program to help drinking water systems serving more than 10,000 people prepare for the effects of climate change and extreme weather, along with a mirror program for wastewater systems of all sizes. Each of those new programs, representing a longstanding (<https://www.amwa.net/article/amwa-backs-bill-expand-drinking-water-resilience-program>) AMWA priority, would be authorized at \$50 million per year for five years; and
- A new Rural and Low-Income Water Assistance Pilot Program at EPA that would offer up to 40 grants to support municipally operated water and wastewater affordability efforts – potentially representing a step toward a permanent federal low-income water and wastewater ratepayer assistance program that is a goal of the Affordable Water, Resilient Communities campaign (<http://www.affordableh2o.org/>) organized by AMWA and the National Association of Clean Water Agencies.

A substitute amendment (<https://www.congress.gov/117/crec/2021/04/27/167/72/CREC-2021-04-27-pt1-PgS2229-3.pdf>) to S. 914 adopted on the Senate floor prior to final passage made a handful of revisions to the bill, including:

- Requiring utilities to use Reducing Lead in Drinking Water Grants to cover the cost of replacing the private side of a lead service line serving a low-income household and allowing the funds to pay for replacing the privately owned side of a lead service line serving any other household;
- Clarifying household eligibility for the Rural and Low-Income Water Assistance Pilot Program; and
- Directing EPA to cooperate with the Cybersecurity and Infrastructure Security Agency on public water system cybersecurity efforts (see related story (<https://www.amwa.net/article/senators-add-drinking-water-cybersecurity-provision-infrastructure-bill>)).

“This bipartisan bill invests in strengthening our nation’s water systems to foster economic growth, build climate-resilient infrastructure, and help ensure that all Americans have access to clean, safe water,” EPW Committee Chairman Tom Carper (D-Del.) said in a statement (<https://www.epw.senate.gov/public/index.cfm/2021/4/carper-leads-senate-passage-of-first-infrastructure-bill-to-advance-goals-of-american-jobs-plan>). “I’m proud that our committee has led the charge in ... today’s Senate passage of the first infrastructure bill of this Congress.”

The White House also weighed in on the measure, issuing a Statement of Administration Policy (<https://www.whitehouse.gov/wp-content/uploads/2021/04/SAP-S.-914.pdf>) in support of the bill and calling it “a good start to the much-needed funding required to provide communities with the water quality they deserve.”

S. 914 now heads to the House of Representatives, where committees have discussed (<https://www.amwa.net/article/house-democrats-propose-billions-water-infrastructure->

attach-strings) water infrastructure legislation but have yet to advance any proposal. Any comprehensive water infrastructure legislation that ultimately comes together this year will likely be the result of future negotiations between the two chambers.

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