

116TH CONGRESS
1ST SESSION

H. R. 5347

To require the Secretary of the Interior to establish a grant program to close gaps in access to safe drinking water in disadvantaged communities, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 6, 2019

Mr. COX of California (for himself, Mr. COSTA, Mr. HARDER of California, and Mr. HUFFMAN) introduced the following bill; which was referred to the Committee on Natural Resources, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To require the Secretary of the Interior to establish a grant program to close gaps in access to safe drinking water in disadvantaged communities, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Disadvantaged Com-
5 munity Drinking Water Assistance Act”.

6 **SEC. 2. FINDINGS.**

7 Congress finds that—

1 (1) many areas in the State of California, par-
2 ticularly in the San Joaquin Valley region, are dis-
3 proportionately impacted by drought because the
4 areas are heavily dependent or completely reliant on
5 groundwater supplies to meet domestic drinking
6 water needs; and

7 (2) those communities throughout the State of
8 California have been impacted by the presence of
9 naturally occurring and human-caused constituents
10 including arsenic, 1,2,3-Trichloropropane (1,2,3-
11 TCP), hexavalent chromium, Dibromochloropropane
12 (DBCP), uranium, and nitrates in local groundwater
13 supplies.

14 **SEC. 3. GRANT PROGRAM.**

15 (a) ESTABLISHMENT.—The Secretary of the Interior
16 shall establish and carry out a grant program to be known
17 as the “Disadvantaged Community Drinking Water As-
18 sistance Program” to provide financial assistance to dis-
19 advantaged communities that have experienced a signifi-
20 cant decline in quantity or quality of drinking water, and
21 to obtain or maintain adequate quantities of water that
22 meet the standards set by the Federal Safe Drinking
23 Water Act (42 U.S.C. 300f et seq.). Grants under this
24 section may be provided to communities—

1 (1) that are unable to meet the primary drink-
2 ing water quality standards under that Act; or

3 (2) the local private or public water supply of
4 which has been lost or severely diminished due to
5 drought conditions, groundwater overdraft condi-
6 tions, or climate change conditions.

7 (b) ELIGIBLE COMMUNITIES.—Grants provided
8 under this section shall be used to benefit communities—

9 (1) located in a city, town, or special district
10 with a population of not more than 60,000 of resi-
11 dents; and

12 (2) that have a median household income of less
13 than 100 percent of the nonmetropolitan median
14 household income of the State in which the commu-
15 nity is located.

16 (c) ELIGIBLE USES.—Grants provided under this
17 section may be used for the following:

18 (1) Point of use treatment and point of entry
19 systems.

20 (2) Wellhead treatment and distributed treat-
21 ment facilities.

22 (3) Blending systems in compliance with State
23 regulations.

1 (4) Costs related to the consolidation of mul-
2 tiple small rural water systems or a small rural
3 water system with a larger system.

4 (5) Construction of new water source facilities
5 including wells and connections to existing systems.

6 (6) Water distribution facilities.

7 (7) Water capacity fees, water supply develop-
8 ment fees, water connections fees, and similar fees
9 that are assessed when a new connection is added to
10 an existing water system as part of a consolidation.

11 (8) Assistance to households to connect to
12 water facilities.

13 (9) Emergency water supplies.

14 (10) A combination of activities described in
15 paragraphs (1) through (9).

16 (11) Application and technical assistance costs
17 associated with the activities described in para-
18 graphs (1) through (9).

19 (d) PRIORITIZATION.—In determining priorities for
20 funding projects, the Secretary of the Interior shall take
21 into consideration—

22 (1) communities that are currently operating
23 under a notice of violation for failing to provide po-
24 table water that meets primary drinking water
25 standards;

1 (2) whether the applicant has the ability to
2 qualify for alternative funding sources that do not
3 result in water rate increases unable to be absorbed
4 by the residential ratepayers;

5 (3) communities deemed vulnerable to water
6 shortage conditions because the system is located in
7 a critically overdrafted groundwater basin, and the
8 system has only a single water supply source;

9 (4) rural communities served by individual, on-
10 site domestic wells that have documented dry well
11 conditions or contaminated well conditions; and

12 (5) public water systems that desire to consoli-
13 date with each other, or with a larger urban system,
14 to increase economies-of-scale to reduce cost of serv-
15 ice, and increase the level and quality of water serv-
16 ice delivery.

17 (e) MAXIMUM AMOUNT.—The amount of a grant pro-
18 vided under this section may be used to fund—

19 (1) not more than 100 percent of costs for ac-
20 tivities, including—

21 (A) technical assistance and other costs as-
22 sociated with application for assistance through
23 the Disadvantaged Community Drinking Water
24 Assistance Program;

1 (B) initial operating costs incurred to start
2 up, test, and place into service project facilities
3 and components; and

4 (C) capital costs of construction or compo-
5 nents to ensure such facilities and components
6 are properly operational; and

7 (2) not more than 25 percent of costs for as-
8 sistance with operation and maintenance costs in-
9 curred subsequent to placing the facilities or compo-
10 nents into service to ensure service remains efficient
11 and effective.

12 (f) OPERATION AND MAINTENANCE.—Not more than
13 25 percent of funds made available in any fiscal year for
14 grants under this section shall be used for operations and
15 maintenance costs. States may use a State circuit riding
16 operations assistance team to identify applicants approved
17 for operations and maintenance assistance.

18 (g) AUTHORIZATION OF APPROPRIATIONS.—There is
19 authorized to be appropriated to the Secretary of the Inte-
20 rior to carry out this section \$20,000,000 for each of fiscal
21 years 2021 through 2025, to remain available until ex-
22 pended.

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