

WATER RESOURCES LEGISLATION IN THE 116TH AND 117TH SESSION OF CONGRESS

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In the 116th session of Congress, hundreds of pieces of legislation have proposed various ways to increase the protection of water resources in the United States. The bills listed in this appendix offer a representative sampling of the proposals dealing with the protection of water resources. In each case, descriptive paragraphs and complete texts of the legislation are available at www.congress.gov. All of the bills listed are from the 116th Session (2019-2020) unless otherwise noted. None of the bills listed below actually become public law, meaning that each one could become a prototype for an affirmative case on the 2021-22 water resources topic.

A Bill to Require the Secretary of Health and Human Services to Award Additional Funding Through the Sanitation Facilities Construction Program of the Indian Health Service, and For Other Purposes (S.112 117th Congress). Sponsor: Sen. Krysten Sinema of Arizona. This bill requires the Department of Health and Human Services to award through FY2025 additional funds to the Indian Health Service Sanitation Facilities Construction Program. This program provides American Indian and Alaska Native homes and communities with water supply, sewage disposal, and solid waste disposal facilities.

Affordable Safe Drinking Water Act of 2020 (S.3160). Sponsor: Sen. Elizabeth Warren of Massachusetts. This bill revises the clean water state revolving fund (SRF) program and the drinking water SRF program. Both programs provide financial assistance for water infrastructure. The bill removes the 30-year term limits for loans under the SRF programs. Thus, new loans under the programs may have terms up to the projected useful life of the projects. Loan terms for existing loans may, on agreement of the parties to the loan, be extended. In addition, the bill allows states to use a percentage of SRF funds to replace pipes, plumbing fittings, and fixtures that carry water contaminated with lead or perfluoroalkyl or polyfluoroalkyl substances (commonly referred to as PFAS) at certain state, municipal, or tribal facilities (e.g., schools, parks, and senior centers) that provide the public or employees with drinking water. PFAS are man-made and may have adverse human health effects.

ARPA-H2O Act of 2020 (H.R.6113). Sponsor: Rep. John Katko of New York. This bill establishes the Advanced Research Projects Agency–Water within the Environmental Protection Agency to provide funding for projects concerning the treatment of drinking water or wastewater at water systems that serve the public. The water systems must be large decentralized systems that provide treatment for at least two households. The projects must be intended to enhance, through the deployment of advanced technologies, the treatment, monitoring, delivery, affordability, and safety of drinking water provided by a water system, wastewater or stormwater discharged by a water system, groundwater or well water used for drinking water, or activities carried out by a water system for the purposes of enhancing public health or environmental safety.

Clean Water for All Act (H.R.6745). Sponsor: Rep. Peter DeFazio of Oregon. This bill nullifies the 2020 rule titled The Navigable Waters Protection Rule: Definition of "Waters of the United States," which describes the bodies of water that fall under federal jurisdiction and the scope of the Clean Water Act. The 2020 rule replaces the 2015 Clean Water Rule, which includes a broader definition of waters of the United States. The Environmental Protection Agency (EPA)

and the Army Corps of Engineers must promulgate a regulation defining waters of the United States under the Clean Water Act. The EPA and the Corps must ensure that such definition includes categories of water bodies that affect the physical, chemical, or biological integrity of traditionally navigable and interstate waters, based on the best available scientific evidence. In addition, the EPA and the Corps must ensure that implementation of the Clean Water Act using such definition will prevent any degradation of surface water quality, increased contaminant levels in drinking water sources, increased flooding-related risks to human life or property, or disproportionate adverse impacts on minority or low-income populations.

Clean Water Infrastructure Resilience and Sustainability Act (S.2636). Sponsor: Sen. Benjamin Cardin of Maryland. This bill authorizes grant programs to increase the resiliency of water infrastructure to natural hazards. Specifically, it requires the Environmental Protection Agency (EPA) to establish a grant program for increasing the resilience of publicly owned treatment works to natural hazards. In addition, the bill reauthorizes through FY2024 and revises the EPA's Drinking Water System Infrastructure Resilience and Sustainability Program. Under the program, the EPA must award grants to community water systems for increasing their resilience to natural hazards.

Clean Water Through Green Infrastructure Act (H.R.4266). Sponsor: Rep. Denny Heck from Washington. This bill establishes grant programs for innovative stormwater control infrastructure, which means any green stormwater management technique that (1) uses systems that mimic natural processes to infiltrate, evapotranspire, or capture stormwater; and (2) preserves, enhances, or mimics natural hydrology to protect or restore water quality. Specifically, the Environmental Protection Agency (EPA) must provide grants to eligible institutions of higher education or research institutions to establish and maintain between three and five centers of excellence for innovative stormwater control infrastructure. Among other things, the centers must research such infrastructure and provide technical assistance to state, tribal, and local governments to assist with stormwater control infrastructure projects. One of the centers must be the national electronic clearinghouse center. That center must operate a website and a public database on the infrastructure. In addition, the EPA must provide grants to state, tribal, or local governments or entities that manage stormwater, drinking water resources, or wastewater resources for innovative stormwater control infrastructure projects.

Contaminant and Lead Electronic Accounting and Reporting Requirements (CLEARR) for Drinking Water Act of 2019 (S.1613). Sponsor: Sen. Edward Markey of Massachusetts. This bill generally revises provisions related to drinking water quality standards. Specifically, the bill provides for additional inspections of a public water system after certain standards violations; requires notification to the Centers for Disease Control and Prevention and local health agencies of serious standards violations; reauthorizes through FY2024 a grant program to assist the public water systems of disadvantaged and underserved communities to comply with drinking water requirements; and allows for grants to community organizations that provide education to minority, tribal, and low-income communities regarding drinking water contaminants.

Disadvantaged Community Drinking Water Assistance Act (H.R.5347). Sponsor: Rep. T.J. Cox of California. This bill requires the Department of the Interior to establish a Disadvantaged Community Drinking Water Assistance Program. Under the program, Interior must provide grants to assist communities that have experienced a significant decline in quantity or quality of drinking water in obtaining or maintaining adequate quantities of water that meet drinking

water quality standards. Specifically, grants must be provided to communities that are unable to meet primary drinking water quality standards or to communities with water supplies that have been lost or severely diminished due to drought conditions, groundwater overdraft conditions, or climate change conditions. Grants must benefit communities with a median household income below a certain threshold located in a city, town, or special district with a population of no more than 60,000 residents.

Driftnet Modernization and Bycatch Reduction Act of 2021 (H.R. 404 117th Congress). Sponsor: Rep. Ted Lieu of California. This bill addresses certain driftnet fishing. Driftnet fishing is a method of fishing in which a gillnet composed of a panel or panels of webbing, or a series of such gillnets, is placed in the water and allowed to drift with the currents and winds for the purpose of entangling fish in the webbing. Currently, the use of large-scale drift gillnets with a total length of 2.5 kilometers or more is prohibited in the United States. The bill expands the definition of large-scale driftnet fishing to prohibit the use of gillnets with a mesh size of 14 inches or greater.

Emergency Assistance for Rural Water Systems Act of 2021 (H.R.895 117th Congress). Sponsor: Rep. David Rouzer of North Carolina. This bill allows, and provides funds for, the Department of Agriculture (USDA) to provide grants and loans, as well as loan forgiveness, modification, and refinancing, to rural water, wastewater, or waste disposal facilities. Specifically, USDA may provide such assistance for purposes of ensuring public health, safety, and order and to address financial hardships, in particular those due to the COVID-19 (i.e., coronavirus disease 2019) public health emergency.

Emergency Water is a Human Right Act (H.R.616 117th Congress). Sponsor: Rep. Rashida Tlaib of Michigan. This bill creates a grant program, administered by the Department of Health and Human Services, to provide funds to states and Indian tribes to assist low-income households that pay a high proportion of household income for drinking water and wastewater services. Further, any entity receiving financial assistance under this grant program must ensure that no home energy service or public water system service is or remains disconnected or interrupted during the COVID-19 (i.e., coronavirus disease 2019) public health emergency.

Energy and Water Research Integration Act of 2019 (H.R.34). Sponsor: Rep. Eddie Bernice Johnson of Texas. This bill requires the Department of Energy (DOE) to integrate water considerations into its energy research, development, and demonstration programs and projects. Specifically, the DOE must develop and implement a strategic plan that advances energy and energy efficiency technologies and practices to minimize freshwater withdrawal and consumption, seismic impacts, and deleterious impacts on water bodies, groundwater, and waterways; increase water use efficiency; and utilize nontraditional water sources. Further, the strategic plan must (1) consider the effects climate variability may have on water supplies and quality for energy generation and fuel production, and (2) improve the understanding of the energy required to provide reliable water supplies as well as the water required to provide reliable energy supplies. The plan must be updated every five years. In addition, DOE must establish an Energy-Water Committee to promote and enable improved energy and water resource data collection, reporting, and technological innovation.

Everglades for the Next Generation Act (H.R.462). Sponsor: Rep. Alcee Hastings of Florida. This bill authorizes the U.S. Army Corps of Engineers, after completing implementation reports prepared for certain projects under the Comprehensive Everglades Restoration Plan, to carry

out those projects, which include projects that provide regional, watershed ecosystem, or water supply benefits.

Fracking Ban Act (S.3247). Sponsor: Sen. Bernard Sanders of Vermont. This bill phases out hydraulic fracturing for oil and natural gas. Hydraulic fracturing or fracking is a process to extract underground resources such as oil or gas from a geologic formation by injecting water, a propping agent (e.g., sand), and chemical additives into a well under enough pressure to fracture the geological formation. The bill prohibits federal agencies from issuing permits for the expansion of fracking or fracked oil and natural gas infrastructure, including infrastructure intended to extract, transport, or burn natural gas or oil. In addition, the bill requires the Environmental Protection Agency to complete a survey of all oil and natural gas wells to identify the wells where fracking is, or has been, used. The survey must include a variety of data, including data on the proximity of fracking operations to inhabited structures (e.g., homes or schools). Beginning on February 1, 2021, the bill revokes permits for wells where fracking is, or has been, used within 2,500 feet of inhabited structures. The bill bans all fracking on onshore and offshore land by 2025.

Fracking Disclosure and Safety Act (H.R.436). Sponsor: Rep. Darren Soto of Florida. This bill establishes requirements governing oil or gas operations, such as hydraulic fracturing operations. Hydraulic fracturing or fracking is a process to extract underground resources such as oil or gas from a geologic formation by injecting water, a propping agent (e.g., sand), and chemical additives into a well under enough pressure to fracture the geological formation. Specifically, the bill eliminates certain exemptions for oil or gas operations from environmental requirements, including requirements concerning stormwater runoff, hazardous air pollutants, solid waste disposal, and drinking water sources. The bill also revises drinking water requirements to require hydraulic fracturing operations to disclose the chemicals they use in underground injections.

Fracturing Responsibility and Awareness of Chemicals Act of 2019 (H.R.4014). Sponsor: Rep. Diana DeGette of Colorado. This bill revises drinking water requirements concerning hydraulic fracturing (fracking) operations. Specifically, the bill gives the Environmental Protection Agency (EPA) the authority to protect groundwater sources (e.g., wells) from certain pollution risks posed by fracking operations. The bill also establishes requirements for disclosing the chemicals intended for use in fracking operations as well as the chemicals actually used in the operations. If the proprietary chemical formulas of chemicals used in fracking operations are necessary for treatment in medical emergencies, then the operations must disclose the formulas or the specific chemical identities of trade secret chemicals to the state, the EPA, or the treating physicians or nurses upon request, regardless of whether written statements of need or confidentiality agreements have been provided.

Get the Lead Out of Schools Act (H.R.852). Sponsor: Rep. Brenda Lawrence of Michigan. This bill requires the Environmental Protection Agency (EPA) to (1) test for lead in drinking water at schools and day care facilities, and (2) create a grant program for lead testing and remediation efforts in schools and day care facilities. Specifically, the EPA must promulgate a national primary drinking water regulation for schools and day care facilities that establishes a lead action level (a level of lead in drinking water that triggers additional actions to control lead contamination) that is no more than 15 parts per billion; directs each public water system to sample for lead in the drinking water at schools and day care facilities if the EPA determines there is a risk that the lead in the drinking water will meet or exceed the action level; and

requires public water systems that serve schools or day cares that meet or exceed the action level to notify the local educational agency, the relevant local health agencies, the municipality, and the state as soon as practicable, but no later than 24 hours after the system receives the sampling results.

Great Lakes Water Protection Act (H.R.3894). Sponsor: Rep. Daniel Lipinski of Illinois. This bill restricts the diversion of waste streams into the Great Lakes from publicly owned wastewater treatment facilities. The bill also establishes the Great Lakes Green Infrastructure Grant Program to make grants to Great Lakes states to develop green infrastructure projects.

Hualapai Tribe Water Rights Settlement Act of 2019 (H.R.2459). Sponsor: Rep. Representative Tom O'Halleran of Arizona. This bill modifies and ratifies the Hualapai Tribe water rights settlement agreement negotiated between the tribe, the United States, Arizona, and others, thus satisfying the tribe's claims for groundwater and surface water rights to water in Arizona, including the Verde River, the Bill Williams River, and the Colorado River. The bill outlines the tribe's water rights, including the right to divert, use, and store 4,000 acre-feet of agricultural priority water of the Central Arizona Project that was previously allocated to nontribal agricultural entities, but retained by the Department of the Interior for reallocation to tribes in Arizona pursuant to the Central Arizona Project Settlement Act of 2004. The Bureau of Reclamation must construct the Hualapai Water Project. The project must be designed to divert, treat, and convey at least 3,414 acre-feet of water per year from the Colorado River for municipal, commercial, and industrial uses on the Hualapai Reservation.

Identifying PFAS at Water Infrastructure Sites Act (H.R.7243). Sponsor: Rep. Antonio Delgado of New York. This bill requires the Army Corps of Engineers to develop innovative technologies and methodologies for detecting and cleaning up perfluoroalkyl and polyfluoroalkyl substances associated with federal facilities and, to the maximum extent practicable, support other federal agencies' efforts to address such substances. (Perfluoroalkyl and polyfluoroalkyl are chemicals that can accumulate in the human body and cause health problems.)

Indian Water Rights Settlement Extension Act (S.886). Sponsor: Sen. Tom Udall of New Mexico. This bill ratifies and modifies various agreements related to tribal water rights and contains other related provisions. The bill ratifies an agreement relating to the settlement of the Aamodt litigation, which resolved claims concerning Pueblo water resources. The bill also reauthorizes through FY2028 activities to construct a regional water system as part of that settlement. Specifically, the bill ratifies an agreement between the United States, New Mexico, the city of Santa Fe, and the Pueblos of Nambe, Pojoaque, San Ildefonso, and Tesuque relating to the litigation. (This agreement is in addition to previously ratified agreements settling the litigation.) The bill also ratifies and modifies the Navajo Utah Water Rights Settlement Agreement negotiated between the Navajo Nation, the United States, and Utah. That agreement gives the Navajo Nation the right to use water from sources located within Utah and adjacent to or encompassed within the boundaries of the Navajo Reservation, resulting in depletions not to exceed a specified amount annually. The Department of the Interior shall establish and manage the Navajo Utah Settlement Trust Fund, with amounts available for withdrawal by the Navajo Nation for Navajo water development projects.

Local Water Protection Act (S.29 117th Congress). Sponsor: Sen. Amy Klobuchar of Minnesota. This bill reauthorizes through FY2025 programs within the Environmental Protection Agency

that award grants to states for managing nonpoint source water pollution or protecting groundwater quality. Water pollution from nonpoint sources is caused by precipitation picking up pollution as it moves over or through the ground.

National Opportunity for Lead Exposure Accountability and Deterrence Act of 2017 (H.R.3677). Sponsor: Rep. Daniel Kildee of Michigan. This bill requires the Environmental Protection Agency (EPA) to revise the national primary drinking water regulations for lead and copper. The rule must direct public water systems (the systems) to meet certain reporting requirements; the EPA to develop a sampling protocol and develop instructions for compliance with the protocol; the EPA, or the state exercising primary enforcement responsibility, to require on-site investigations for identifying the source of lead in all residential or nonresidential facilities when their individual samples have concentrations of lead or copper contamination exceeding specified levels; the systems to meet certain notification and reporting requirements when lead or copper concentration levels are exceeded; the systems to develop and make publicly available an inventory of the material composition of the service lines at residential and nonresidential facilities; the systems to collect and make publicly available information about the ownership of those service lines; and the systems to replace an entire lead service line (instead of partially replacing them) when they are replaced.

Oil and Water Don't Mix Act of 2020. (H.R.6112) Sponsor: Rep. Jared Huffman of California. This bill would require that operators of oil and gas production facilities take measures to protect drinking water. Any operators applying for a permit to drill must provide a water management plan assuring the protection of the quantity and quality of surface and ground water systems. The bill would also make facilities liable for the contamination, diminution, or interruption of water resources proximately resulting from oil and gas production.

Prompt and Fast Action to Stop Damages Act of 2019 (S.675). Sponsor: Sen. Tom Udall of New Mexico. This bill authorizes military departments to provide water for agricultural purposes in areas in which activities on a military installation have contaminated a water source with perfluoroalkyl or polyfluoroalkyl substances, such as perfluorooctanoic acid (PFOA) or perfluorooctane sulfonate (PFOS). The military departments may provide uncontaminated water or provide treatment for contaminated water. The agricultural products produced must be destined for human consumption. The Department of the Air Force may acquire certain real property adjacent to an Air Force base that has shown signs of contamination from PFOA and PFOS due to activities on the base. The Department of Defense must submit to Congress a remediation plan for water at or adjacent to a military base that is contaminated with PFOA or PFOS.

Protect Drinking Water from PFAS Act of 2019 (H.R.2377). Sponsor: Rep. Brendan Boyle of Pennsylvania. This bill requires the Environmental Protection Agency (EPA) to address the level of perfluoroalkyl and polyfluoroalkyl substances (PFAS) in drinking water. Specifically, the EPA must publish a maximum contaminant level goal and promulgate a national primary drinking water regulation for total PFAS. PFAS are man-made chemicals that may lead to adverse human health effects.

Providing Financial Assistance for Safe Drinking Water Act or the PFAS Drinking Water Act (H.R.2533). Sponsor: Rep. Frank Pallone, Jr. of New Jersey. This bill requires the Environmental Protection Agency to establish a program that awards grants to community water systems for the costs associated with technologies that remove perfluoroalkyl or

polyfluoroalkyl substances, commonly referred to as PFAS, from drinking water. PFAS are man-made and may have adverse human health effects. A variety of products contain the compounds, such as nonstick cookware or weatherproof clothing.

Public Water Supply Invasive Species Compliance Act of 2021 (S.277 117th Congress). Sponsor: Sen. Ted Cruz of Texas. This bill addresses transfers between Texas, Arkansas, and Louisiana of water that contains invasive species. The bill exempts certain water transfers between public water supplies in Texas, Arkansas, and Louisiana from prohibitions on illegal trade of plants and wildlife. Specifically, the prohibitions do not apply to covered water transfers containing prohibited species if the species are present in both public water supplies before the transfer, the water is subject to effective mitigation measures, and the water is transferred directly between the supplies; or the water is transferred in a closed conveyance system, such as a pipe system, and sent directly to treatment facilities where the species will be destroyed. The costs of the mitigation measures must be borne by the entity that sells the water for financial gain. Finally, the bill establishes notification requirements for water transfers.

Safe Drinking Water Assistance Act of 2019 (H.R.5361). Sponsor: Rep. Lisa Blunt Rochester of Delaware. This bill addresses contaminants of emerging concern (emerging contaminants), which are not regulated under a national primary drinking water regulation and may have an adverse effect on human health. The Environmental Protection Agency (EPA) must review federal efforts to (1) identify, monitor, and assist in the development of treatment methods for emerging contaminants; and (2) assist states in responding to the human health risks posed by those contaminants. In addition, the EPA must establish a strategic plan for improving those efforts. The EPA and the Department of Health and Human Services must jointly establish an interagency working group to coordinate federal activities that identify and analyze the public health effects of emerging contaminants. The Office of Science and Technology Policy must establish a National Emerging Contaminant Research Initiative to (1) improve the identification, analysis, monitoring, and treatment methods of emerging contaminants; and (2) support the implementation of its cross-agency plan for addressing research gaps related to detecting, assessing exposure to, and identifying the adverse health effects of such contaminants. Specified federal agencies must make grants for research proposals that are likely to result in significant progress toward achieving the plan's objectives. The EPA must (1) report on actions it may take to increase technical assistance and support for states with respect to emerging contaminants in drinking water samples, and (2) develop a program to provide technical assistance and support to states for the testing and analysis of emerging contaminants.

Safe Drinking Water in Playgrounds and Parks Act (H.R.3949). Sponsor: Rep. Grace Meng of New York. This bill expands an existing grant program that provides assistance to local education agencies for replacing school drinking water fountains that were manufactured prior to 1988 to include such drinking water fountains located in playgrounds and parks owned or administered by schools. Additionally, the Environmental Protection Agency must establish a grant program to provide assistance to states and municipalities for the replacement of drinking water fountains that were manufactured prior to 1988 and are located in playgrounds or parks owned by states or municipalities.

San Francisco Bay Restoration Act (H.R.610 117th Congress). Sponsor: Rep. Jackie Speier of California. This bill provides support for the protection and restoration of the San Francisco Bay estuary and the recovery of certain species in the estuary. Specifically, it establishes a San

Francisco Bay Program Office in the Environmental Protection Agency. The program must annually compile a list of funding priorities for projects or studies that advance the goals and objectives of the comprehensive conservation and management plan approved under the National Estuary Program for the San Francisco Bay estuary. The list must include projects or studies for water quality improvement; wetland, riverine, and estuary restoration and protection; nearshore and endangered species recovery; and adaptation to climate change.

Save Our Springs Act of 2020 (H.R.6185). Sponsor: Rep. Debbie Wasserman Schultz of Florida. This bill imposes an excise tax on each gallon of water extracted from a spring or an underground water source for use as bottled water. It establishes the Drinking Water State Revolving Loan Trust Fund to make payments of tax revenue for state revolving loans under the Safe Drinking Water Act.

Smart Energy and Water Efficiency Act of 2019 (H.R.2019). Sponsor: Rep. Jerry McNerney of California. This bill requires the Department of Energy (DOE) to establish and carry out a smart energy and water efficiency management pilot program. Under the program, DOE must award grants to water authorities (i.e., authorities that provide water, wastewater, or water reuse services) for demonstrating advanced and innovative technology-based solutions that will increase and improve the energy efficiency of water, wastewater, and water reuse systems; support the implementation of innovative processes and the installation of advanced automated systems that provide real-time data on energy and water; and improve energy and water conservation, water quality, and predictive maintenance of energy and water systems, through the use of Internet-connected technologies.

Stop the Spread of Invasive Mussels Act of 2019 (S.2975). Sponsor: Sen. Michael Bennet of Colorado. This bill directs the Bureau of Reclamation to provide financial assistance to states with Reclamation projects to prevent the spread of aquatic invasive species into and out of reservoirs operated and maintained by Reclamation, including assistance to purchase, establish, operate, or maintain a watercraft inspection and decontamination station that has the highest likelihood of preventing the spread of aquatic invasive species. In providing financial assistance, Reclamation must prioritize projects that (1) prevent the spread of an aquatic invasive species to waters under its jurisdiction, including irrigation, reclamation, or other water projects; and (2) align with the priorities of the state and with the document titled Quagga-Zebra Mussel Action Plan for Western U.S. Waters, published in February 2010.

Water Affordability, Transparency, Equity, and Reliability Act of 2019 (H.R.1417). Sponsor: Rep. Brenda Lawrence of Michigan. This bill provides funding for several programs related to controlling water pollution or protecting drinking water. Specifically, it establishes a Water Affordability, Transparency, Equity, and Reliability Trust Fund, increases the corporate income tax rate to 24.5% to provide revenues for such programs, revises requirements concerning the clean water state revolving fund (SRF) and the drinking water SRF, and creates or reauthorizes several grant programs for water infrastructure. For example, the Environmental Protection Agency must establish a grant program for repairing, replacing, or upgrading septic tanks and drainage fields. In addition, the bill makes permanent a grant program for household water well systems in rural areas. It also increases the amount of appropriations for grant programs, including a program that awards grants to prevent lead from contaminating drinking water fountains in schools and day care facilities.

Water for Conservation and Farming Act (S.4189). Sponsor: Sen Ron Wyden of Oregon. This bill establishes a funding source for certain water resources development projects in western states. The bill also establishes new water resources development programs, as well as reauthorizes and expands existing ones. Specifically, the bill establishes a Bureau of Reclamation Infrastructure Fund to fund water-related programs, including water reclamation and reuse projects, dam safety projects, and the WaterSMART program (which provides assistance to eligible government entities to increase water supply). Each year from FY2031-FY2061, the Department of the Interior must deposit \$300 million of revenues into this fund that would otherwise be deposited into the Reclamation Fund (which currently funds irrigation works in western states). The bill also reauthorizes through FY2025 the WaterSMART program and expands the program, including by expanding the types of entities eligible for assistance. In addition, the bill reauthorizes through FY2024 the Cooperative Watershed Management Program (which provides assistance to watershed groups to address water management needs) and expands the program to include projects that generate environmental benefits. The bill also establishes new programs directed at western states to provide assistance to agricultural producers to create and maintain waterbird and shorebird habitats, award grants to eligible government entities and nonprofit conservation organizations for habitat restoration projects that improve watershed health, and provide assistance to eligible government entities and nonprofit organizations for aquatic ecosystem and restoration projects.

Water for Public Health Act (H.R.7258). Sponsor: Rep. Andy Levin of Michigan. This bill authorizes Federal Emergency Management Agency (FEMA) assistance during a public health emergency to include efforts to provide individuals with access to potable water and basic sanitation. Specifically, FEMA may, during an emergency period, provide every individual access to potable water and basic sanitation through the use of federal agencies. It may also make grants to carry out such efforts, including installation of mobile water stations and hand washing facilities, distribution or delivery of emergency bottled water and personal and home sanitization products, reconnection of water utility service, and moratorium on water utility shutoffs.

Water for Tomorrow Act of 2020 (S.4188). Sponsor: Sen. Kamala Harris of California. This bill provides assistance for water resources development and ecosystem protection and restoration projects in western states. Specifically, among other things, the bill requires the Department of the Interior to provide assistance to water supply projects that would contribute to a safe, adequate water supply for domestic, agricultural, environmental, municipal, or industrial use. Interior must also award grants to help disadvantaged communities with populations of 60,000 or less meet specified drinking water standards or address a significant decline in quantity or quality of drinking water. Further, the bill reauthorizes through FY2026 the rural water supply program, reauthorizes through FY2025 the cooperative watershed management program, permanently reauthorizes certain water management improvement grants, and modifies provisions related to funding for water recycling and reuse projects. Additionally, the bill requires Interior to award grants for habitat restoration projects that improve watershed health to entities with water or power delivery authority. Interior may also enter into agreements to fund aquatic ecosystem restoration and protection projects if they are likely to improve the quality of the environment by improving fish passage. Further, the bill requires the U.S. Fish and Wildlife Service to develop, and update every three years, a plan to sustain the survival of critically important fisheries within western states during future periods of extended drought.

Water Infrastructure Sustainability and Efficiency Act or the WISE Act (H.R.2458). Sponsor: Rep. Debbie Mucarsel-Powell of Florida. This bill requires each state to use a certain percentage of funds it receives for capitalization of its clean water state revolving fund for projects to address green infrastructure, water or energy efficiency improvements, or other environmentally innovative activities.

Water Justice Act (H.R.4033). Sponsor: Rep. Daniel Kildee of Michigan. This bill addresses affordable access to clean water by establishing, expanding, or extending various programs or requirements related to drinking water infrastructure, water pollution control, water supply, water recycling, water efficiency, or conservation programs. Specifically, the bill provides \$50 billion in FY2020 supplemental appropriations to the Environmental Protection Agency (EPA) for programs that reduce contaminants of concern in drinking water, such as grant programs for lead testing or remediation efforts in schools, child care programs, or high-risk communities. In addition, the EPA must promulgate an interim national primary drinking water regulation for perfluoroalkyl or polyfluoroalkyl substances, commonly referred to as PFAS, which may have adverse human health effects. Finally, the bill establishes or reauthorizes a variety of programs that provide financial support for water supply projects, water recycling or reuse projects, rural water systems, water efficiency improvements, or conservation programs.

Water Optimization for the West Act or the WOW Act (H.R.5217). Sponsor: Rep. Tom McClintock of California. This bill addresses issues related to water projects in the Western States. Among other things, the bill makes the Bureau of Reclamation the lead agency for coordinating permitting activities required for the construction of certain new surface-water storage projects, directs the bureau to convey certain facilities and easements to the Kennewick Irrigation District in Washington State, redirects Department of Transportation funds previously intended for high-speed rail development in California to the Department of the Interior for certain water-related programs, gives the Fish and Wildlife Service the sole authority to protect endangered or threatened fish species that are anadromous species or catadromous species. authorizes the use of certain bureau facilities to convey water to recharge certain aquifers, and prohibits Interior or the Department of Agriculture from requiring a water user to apply for or acquire a water right in order to obtain certain permits or licenses.

Water Quality Protection and Job Creation Act of 2019 (H.R.1497). Sponsor: Sen. Peter DeFazio of Oregon. This bill reauthorizes funding for several grants programs that address water pollution, such as wastewater and stormwater. Specifically, the bill reauthorizes through FY2024 grants to states for water pollution control programs; grants to municipalities for watershed pilot projects, such as projects that manage wet weather discharges (e.g., sewer overflows and sanitary sewer overflows) or control pollutants from municipal separate storm sewer systems; grants to states, local governments, private utilities, and nonprofit entities for alternative water source projects to meet critical water supply needs; grants to states for the purpose of providing grants to municipalities for controlling, treating, reducing, or reusing municipal combined sewer overflows, sanitary sewer overflows, or stormwater; and grants to states for clean water state revolving funds.

Water Recycling Investment and Improvement Act (H.R.1162). Sponsor: Rep. Grace Napolitano of California. This bill makes permanent, and otherwise revises, the Bureau of Reclamation's grant program for the funding of water recycling and reuse projects. The bill removes priority under the program for projects in areas that, in the preceding four-year period, have been (1)

identified as experiencing severe, extreme, or exceptional drought; or (2) designated as a disaster area by a state. Additionally, the bill increases the authorization of appropriations for the program and otherwise revises provisions related to program funding.

Water Resources Development Act of 2020 (S.1811). Sponsor: Sen. John Barrasso of Wyoming. This bill addresses water resources infrastructure funding as well as Army Corps of Engineers projects for navigation, flood risk management, and ecosystem restoration. The bill removes from annual discretionary spending limits funds appropriated from the Harbor Maintenance Trust Fund (HMTF) for harbor operations and maintenance purposes, up to a specified amount. This allows additional funds from the HMTF to be appropriated for these purposes without these amounts counting against annual discretionary spending limits. Similarly, the bill removes from annual discretionary spending limits in FY2021-FY2030 funds appropriated for harbor maintenance activities at certain donor ports or energy transfer ports, up to a specified amount. Further, the bill expands the eligible uses of HMTF funds to include maintenance dredging at certain emerging harbors. In addition, the bill modifies cost-sharing requirements for the construction of inland waterway navigation projects. The bill also establishes various pilot programs to address issues including flood risk management and hurricane and storm damage risk reduction in rural or economically disadvantaged communities. Additionally, the bill establishes programs for controlling certain invasive species. The bill also creates a process to deauthorize certain projects that are no longer viable for construction and authorizes new projects for purposes including navigation, flood risk management, and ecosystem restoration. Note: This bill passed both the House and Senate but was not signed by President Trump.

Western Water Security Act of 2019 (H.R.4891). Sponsor: Rep. Xochiti Torres Small of New Mexico. This bill addresses water management infrastructure and improvement, groundwater management, and water conservation and environmental restoration in certain western states. Specifically, the bill increases the authorization of appropriations to fund research agreements between the Bureau of Reclamation and eligible entities for water management improvement. The bill expands eligibility for such agreements to include nonprofit conservation organizations. The bill also reauthorizes through FY2024 a program through which Interior is authorized to assist eligible desalination projects. The bill lowers cost-sharing requirements under the program for rural desalination projects. Further, the bill allows certain financial assistance made available under an existing drought relief program to be used to assist state and tribal governments in addressing drought-related impacts to water supplies or any other immediate water-related crises. The bill reauthorizes the program through FY2030. Additionally, the bill increases the maximum federal share of costs for certain infrastructure improvements and activities for groundwater management that provide benefits to consumptive water users (i.e., users of water that is not returned to a stream, river, or water treatment plant) and nonconsumptive ecological or recreational values. The bill also requires Reclamation to carry out a water acquisition program in specified river basins. Further, Interior must analyze the extent to which changes in water supply will affect native biodiversity and must produce strategies for sustaining native biodiversity during periods of drought.