118th CONGRESS 1st Session



To authorize the Low-Income Household Water Assistance Program, and for other purposes.

IN THE SENATE OF THE UNITED STATES

Mr. PADILLA introduced the following bill; which was read twice and referred to the Committee on _____

A BILL

To authorize the Low-Income Household Water Assistance Program, 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 "Low-Income House-

5 hold Water Assistance Program Establishment Act".

6 SEC. 2. LOW-INCOME HOUSEHOLD WATER ASSISTANCE

7 **PROGRAM.**

8 (a) DEFINITIONS.—In this section:

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1	(1) Administrator.—The term "Adminis-
2	trator" means the Administrator of the Environ-
3	mental Protection Agency.
4	(2) ELIGIBLE ENTITY.—The term "eligible enti-
5	ty" means a State, or Indian tribe, that is eligible
6	to receive or previously received a grant under the
7	Low-Income Home Energy Assistance Act of 1981
8	(42 U.S.C. 8621 et seq.).
9	(3) HOUSEHOLD.—The term "household"
10	means any individual or group of individuals who
11	are living together as 1 economic unit.
12	(4) LOW-INCOME HOUSEHOLD.—The term
13	"low-income household" means a household—
14	(A) in which 1 or more individuals are re-
15	ceiving-
16	(i) assistance under the State pro-
17	gram funded under part A of title IV of
18	the Social Security Act (42 U.S.C. 601 et
19	seq.);
20	(ii) supplemental security income pay-
21	ments under title XVI of the Social Secu-
22	rity Act (42 U.S.C. 1381 et seq.);
23	(iii) supplemental nutrition assistance
24	program benefits under the Food and Nu-

1	trition Act of 2008 (7 U.S.C. 2011 et
2	$\operatorname{seq.});$
3	(iv) payments under—
4	(I) section 1315, 1521, 1541, or
5	1542 of title 38, United States Code;
6	OF
7	(II) section 306 of the Veterans'
8	and Survivors' Pension Improvement
9	Act of 1978 (38 U.S.C. 1521 note;
10	Public Law 95–588); or
11	(v) assistance under the Low-Income
12	Home Energy Assistance Act of 1981; or
13	(B) that has an income that, as deter-
14	mined by the State or Indian tribe, does not ex-
15	ceed the greater of—
16	(i) an amount equal to 150 percent of
17	the poverty level;
18	(ii) an amount equal to 60 percent of
19	the State median income for that State or
20	the State in which the Indian tribe is pri-
21	marily located; or
22	(iii) an amount equal to 60 percent of
23	the area median income for the area in
24	which the household is located.

1	(5) POVERTY LEVEL.—The term "poverty
2	level" means the poverty line determined pursuant
3	to section 673 of the Community Services Block
4	Grant Act (42 U.S.C. 9902).
5	(6) Public water system.—The term "public
6	water system" has the meaning given the term in
7	section 1401 of the Safe Drinking Water Act (42
8	U.S.C. 300f).
9	(7) QUALIFIED NONPROFIT ORGANIZATION.—
10	The term "qualified nonprofit organization" includes
11	a nonprofit organization described in section
12	680(a)(3)(B) of the Community Services Block
13	Grant Act (42 U.S.C. 9921(a)(3)(B)).
14	(8) Secretary.—The term "Secretary" means
15	the Secretary of Health and Human Services.
16	(9) STATE.—The term "State" means any of
17	the 50 States, the District of Columbia, the Com-
18	monwealth of Puerto Rico, Guam, the United States
19	Virgin Islands, American Samoa, and the Common-
20	wealth of the Northern Mariana Islands.
21	(10) TREATMENT WORKS.—The term "treat-
22	ment works" has the meaning given the term in sec-
23	tion 212 of the Federal Water Pollution Control Act
24	(33 U.S.C. 1292).
25	(b) Establishment.—

1	(1) IN GENERAL.—The Secretary, in consulta-
2	tion with the Administrator, shall establish the Low-
3	Income Household Water Assistance Program to
4	award grants, in accordance with paragraph (2) , to
5	eligible entities to provide funds to owners and oper-
6	ators of public water systems or treatment works to
7	assist low-income households in paying arrearages
8	and other rates charged to such households for
9	drinking water or wastewater services.
10	(2) FORMULA.—In awarding grants under this
11	subsection to eligible entities, the Secretary shall—
12	(A) allot amounts made available for
13	grants under this subsection to an eligible enti-
14	ty that is a State or Indian tribe based on—
15	(i) the percentage of households in the
16	State, or under the jurisdiction of the In-
17	dian tribe, with income equal to or less
18	than 150 percent of the poverty level; or
19	(ii) the percentage of households in
20	the State, or under the jurisdiction of the
21	Indian tribe, that spend more than 30 per-
22	cent of monthly income on housing; and
23	(B) reserve up to 3 percent of amounts
24	made available for grants under this subsection
25	to eligible entities that are Indian tribes.

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(c) RURAL, UNDERSERVED, AND INDIAN TRIBE AC CESS GRANTS.—The Secretary shall provide grants to
 qualified nonprofit organizations to assist owners or oper ators of public water systems or treatment works, in rural
 or underserved areas or in the jurisdiction of an Indian
 tribe, in accessing funds through the Low-Income House hold Water Assistance Program.

8 (d) APPLICATIONS.—Each eligible entity seeking a 9 grant under subsection (b), and each qualified nonprofit 10 organization seeking a grant under subsection (c), shall 11 submit an application to the Secretary at such time, in 12 such manner, and containing such information as the Sec-13 retary shall require.

14 (e) LIMITATIONS.—A recipient of a grant under sub-15 section (b) or (c)—

16 (1) shall not use the funds from the grant to
17 supplant any other funds for any program that as18 sists low-income households in maintaining access to
19 affordable drinking water or wastewater services;
20 and

(2) may use the funds from the grant to supplement or otherwise enhance any such program that
satisfies the requirements under this section.

24 (f) TECHNICAL ASSISTANCE FOR ELIGIBILITY RE-25 QUIREMENTS.—The Secretary shall provide technical as-

sistance to eligible entities receiving a grant under sub section (b) for such eligible entities to establish data shar ing agreements to streamline categorical eligibility re quirements for low-income households.

5 (g) TRANSFER TO THE ENVIRONMENTAL PROTEC-6 TION AGENCY.—

7 (1) IN GENERAL.—On the date on which the 8 final report described in section 50109(d) of the In-9 frastructure Investment and Jobs Act (42 U.S.C. 10 300j–19a note; Public Law 117–58; 135 Stat. 1148) 11 is submitted to Congress under such section, the 12 Secretary, in coordination with the Administrator, 13 shall transfer the Low-Income Household Water As-14 sistance Program established under this section to 15 the Environmental Protection Agency for adminis-16 tration of such program by the Administrator in ac-17 cordance with this section.

- 18 (2) Administration.—
- 19 (A) IN GENERAL.—Beginning on the date
 20 described in paragraph (1)—

21 (i) the Administrator shall carry out
22 all functions of the Secretary under this
23 section; and

24 (ii) for purposes of administering the25 program established under this section,

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1	each reference in subsection $(b)(2)$, (c) ,
2	(d), and (f) to the Secretary shall be
3	deemed a reference to the Administrator.
4	(B) GRANTS PREVIOUSLY AWARDED.—
5	Notwithstanding paragraph (1) and subpara-
6	graph (A), the Secretary shall continue, after
7	the transfer under paragraph (1), administering
8	each grant awarded under this section prior to
9	such transfer until the expiration of the term of
10	such grant.
11	(3) UNOBLIGATED BALANCES.—On the date de-
12	scribed in paragraph (1) and subject to section 1531
13	of title 31, United States Code, the Secretary shall
14	transfer all unobligated balances of appropriations,
15	authorizations, allocations, or other funds available
16	to the Low-Income Household Water Assistance
17	Program established under this section (except for
18	any such balances related to grants awarded prior to
19	the transfer under paragraph (1)) to the Adminis-
20	trator. The amounts of any such unobligated bal-
21	ances so transferred shall be used only for the pur-
22	poses for which the amounts were originally author-
23	ized and appropriated.

(h) AUTHORIZATION OF APPROPRIATIONS.—There
 are authorized to be appropriated such sums as may be
 necessary to carry out this section.