

118TH CONGRESS
2D SESSION

S. _____

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:

1 (1) ADMINISTRATOR.—The term “Adminis-
2 trator” means the Administrator of the Environ-
3 mental Protection Agency.

4 (2) HOUSEHOLD.—The term “household”
5 means any individual or group of individuals who
6 are living together as 1 economic unit.

7 (3) LOW-INCOME HOUSEHOLD.—The term
8 “low-income household” means a household—

9 (A) in which 1 or more individuals are re-
10 ceiving—

11 (i) assistance under the State pro-
12 gram funded under part A of title IV of
13 the Social Security Act (42 U.S.C. 601 et
14 seq.);

15 (ii) supplemental security income pay-
16 ments under title XVI of the Social Secu-
17 rity Act (42 U.S.C. 1381 et seq.);

18 (iii) supplemental nutrition assistance
19 program benefits under the Food and Nu-
20 trition Act of 2008 (7 U.S.C. 2011 et
21 seq.);

22 (iv) payments under—

23 (I) section 1315, 1521, 1541, or
24 1542 of title 38, United States Code;

25 or

1 (II) section 306 of the Veterans'
2 and Survivors' Pension Improvement
3 Act of 1978 (38 U.S.C. 1521 note;
4 Public Law 95–588); or

5 (v) assistance under the Low-Income
6 Home Energy Assistance Act of 1981; or

7 (B) that has a household income that, as
8 determined by the State or Indian tribe, does
9 not exceed the greater of—

10 (i) an amount equal to 150 percent of
11 the poverty level;

12 (ii) an amount equal to 60 percent of
13 the State median income for that State or
14 the State in which the Indian tribe is pri-
15 marily located; or

16 (iii) an amount equal to 60 percent of
17 the area median income for the area in
18 which the household is located.

19 (4) POVERTY LEVEL.—The term “poverty
20 level” means the poverty line determined pursuant
21 to section 673 of the Community Services Block
22 Grant Act (42 U.S.C. 9902).

23 (5) PUBLIC WATER SYSTEM.—The term “public
24 water system” has the meaning given the term in

1 section 1401 of the Safe Drinking Water Act (42
2 U.S.C. 300f).

3 (6) QUALIFIED NONPROFIT ORGANIZATION.—
4 The term “qualified nonprofit organization” includes
5 a nonprofit organization described in section
6 680(a)(3)(B) of the Community Services Block
7 Grant Act (42 U.S.C. 9921(a)(3)(B)).

8 (7) SECRETARY.—The term “Secretary” means
9 the Secretary of Health and Human Services.

10 (8) STATE.—The term “State” means any of
11 the 50 States, the District of Columbia, the Com-
12 monwealth of Puerto Rico, Guam, the United States
13 Virgin Islands, American Samoa, and the Common-
14 wealth of the Northern Mariana Islands.

15 (9) TREATMENT WORKS.—The term “treatment
16 works” has the meaning given the term in section
17 212 of the Federal Water Pollution Control Act (33
18 U.S.C. 1292).

19 (b) ESTABLISHMENT.—

20 (1) IN GENERAL.—The Secretary, in consulta-
21 tion with the Administrator, shall establish the Low-
22 Income Household Water Assistance Program to
23 award grants, in accordance with paragraph (3), to
24 eligible entities described in paragraph (2) to provide
25 funds to owners and operators of public water sys-

1 tems or treatment works to assist low-income house-
2 holds in paying arrearages and other rates charged
3 to such households for drinking water or wastewater
4 services.

5 (2) ELIGIBLE ENTITIES.—An eligible entity de-
6 scribed in this paragraph is a State, or Indian tribe,
7 that is eligible to receive or previously received a
8 grant under the Low-Income Home Energy Assist-
9 ance Act of 1981 (42 U.S.C. 8621 et seq.).

10 (3) 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.

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

8 (d) APPLICATIONS.—Each eligible entity seeking a
9 grant under subsection (b) shall submit an application to
10 the Secretary at such time, in such manner, and con-
11 taining such information as the Secretary shall require.

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

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

19 (2) may use the funds from the grant to supple-
20 ment or otherwise enhance any such program that
21 satisfies the requirements under this section.

22 (f) TECHNICAL ASSISTANCE FOR ELIGIBILITY RE-
23 QUIREMENTS.—The Secretary shall provide technical as-
24 sistance to eligible entities receiving a grant under sub-
25 section (b) for such eligible entities to establish data shar-

1 ing agreements to streamline categorical eligibility re-
2 quirements for low-income households.

3 (g) TRANSFER TO THE ENVIRONMENTAL PROTEC-
4 TION AGENCY.—

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

16 (2) ADMINISTRATION.—

17 (A) IN GENERAL.—Beginning on the date
18 described in paragraph (1)—

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

22 (ii) for purposes of administering the
23 program established under this section,
24 each reference in subsection (b)(3), (c),

1 (d), and (f) to the Secretary shall be
2 deemed a reference to the Administrator.

3 (B) GRANTS PREVIOUSLY AWARDED.—

4 Notwithstanding paragraph (1) and subpara-
5 graph (A), the Secretary shall continue, after
6 the transfer under paragraph (1), administering
7 each grant awarded under this section prior to
8 such transfer until the expiration of the term of
9 such grant.

10 (3) UNOBLIGATED BALANCES.—On the date de-
11 scribed in paragraph (1) and subject to section 1531
12 of title 31, United States Code, the Secretary shall
13 initiate transfer of all unobligated balances of appro-
14 priations, authorizations, allocations, or other funds
15 available to the Low-Income Household Water As-
16 sistance Program established under this section (ex-
17 cept for any such balances related to grants awarded
18 prior to the transfer under paragraph (1)) to the
19 Administrator. The amounts of any such unobligated
20 balances so transferred shall be used only for the
21 purposes for which the amounts were originally au-
22 thorized and appropriated.

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