

117TH CONGRESS
1ST SESSION

H. R. 6088

To amend the Safe Drinking Water Act to authorize grants for smart water infrastructure technology, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 30, 2021

Mr. GALLEGO (for himself and Mr. KATKO) introduced the following bill;
which was referred to the Committee on Energy and Commerce

A BILL

To amend the Safe Drinking Water Act to authorize grants for smart water infrastructure technology, 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 “Water Infrastructure
5 Modernization Act”.

6 **SEC. 2. PURPOSES.**

7 The purposes of this Act are—

8 (1) to upgrade and modernize drinking water
9 systems in the United States, tackle new contami-

1 nants, and support drinking water infrastructure
2 across America;

3 (2) to support the modernization of drinking
4 water infrastructure and management systems to
5 maintain reliable, resilient, and affordable drinking
6 water infrastructure and ensure the protection of
7 public health; and

8 (3) to encourage utilization of water efficient
9 technologies to address drought and prepare for the
10 growing strain population growth and climate
11 change will have on already over-allocated water sup-
12 plies.

13 **SEC. 3. SMART WATER INFRASTRUCTURE TECHNOLOGY**
14 **FOR DRINKING WATER.**

15 Section 1452 of the Safe Drinking Water Act (42
16 U.S.C. 300j–12) is amended—

17 (1) in subsection (m)(1), by striking “sub-
18 sections (a)(2)(G) and (t)” and inserting “sub-
19 sections (a)(2)(G), (t), and (u)”;

20 (2) by adding at the end the following:

21 “(u) SMART WATER INFRASTRUCTURE TECH-
22 NOLOGY.—

23 “(1) GRANTS.—Subject to the availability of
24 appropriations, the Administrator shall make direct
25 grants to the owners or operators of community

1 water systems for purposes of the planning, design,
2 construction of, and operations training relating
3 to—

4 “(A) smart water network technologies
5 that—

6 “(i) can identify water losses from
7 conveyance facilities in a nondestructive or
8 nondisruptive manner, including acoustic
9 data collection; and

10 “(ii) provide—

11 “(I) comprehensive data on pipe-
12 line integrity that document the pres-
13 ence of leaks or gas pockets; and

14 “(II) information on the extent
15 of such leaks or gas pockets, with an
16 emphasis on detecting weakness of,
17 vulnerability of, or damage to pipe
18 barrels, pipe joints, or other pipe fea-
19 tures;

20 “(B) real-time sensing technologies, includ-
21 ing the use of advanced analytics, that detect
22 and alert operators to leakages and pipeline
23 bursts on a real-time basis, including persistent
24 sensor networks capable of measuring—

25 “(i) acoustic signals;

1 “(ii) pressure transient; or

2 “(iii) water quality;

3 “(C) real-time decision support that inte-
4 grates sources of data about water distribution
5 networks to deliver common operations informa-
6 tion relying on data analytics that can improve
7 operational decisionmaking, including nonrev-
8 enue water loss, energy optimization, and water
9 quality improvement;

10 “(D) advanced metering infrastructure, in-
11 cluding meter data analytics and ratepayer
12 technology—

13 “(i) to improve end user conservation;

14 and

15 “(ii) in support of disadvantaged com-
16 munities;

17 “(E) resilient water supply projects that
18 may provide real-time monitoring of weather
19 patterns and impacts on water supply and flood
20 protection reservoirs and dams that enhance op-
21 erations, including—

22 “(i) improved water supply reliability
23 and management;

24 “(ii) protection of natural resources,
25 including fisheries; and

1 “(iii) temperature control; and

2 “(F) innovative and alternative water sup-
3 ply projects, including groundwater banking,
4 that rely on real-time data acquisition to sup-
5 port predictive aquifer recharge through water
6 reuse and stormwater management capabilities.

7 “(2) PROGRAM IMPLEMENTATION.—

8 “(A) SELECTION.—

9 “(i) APPLICATION.—The owner or op-
10 erator of a community water system seek-
11 ing a grant under paragraph (1) shall sub-
12 mit to the Administrator an application at
13 such time, in such manner, and containing
14 such information as the Administrator may
15 require.

16 “(ii) GUIDANCE.—Not later than 30
17 days after the date of enactment of this
18 subsection, the Administrator shall issue
19 guidance to owners and operators of com-
20 munity water systems on how to submit an
21 application under clause (i).

22 “(iii) SELECTION.—Not later than 30
23 days after the date on which the owner or
24 operator of a community water system
25 seeking a grant under paragraph (1) sub-

mits an application under clause (i), the Administrator shall determine whether to approve or deny the application.

“(iv) DEFICIENT APPLICATIONS.—If the Administrator determines that an application submitted under clause (i) is deficient, the Administrator shall—

“(I) advise the applicant of the deficiency; and

“(II) provide an opportunity for the applicant to resubmit the application.

“(B) DISBURSEMENT.—If the Administrator approves an application under subparagraph (A)(iii), the Administrator shall disburse grant funds not later than 60 days after the date of the determination.

“(3) COST-SHARE.—

“(A) IN GENERAL.—Except as provided in subparagraph (B), the non-Federal share of an activity carried out using a grant under paragraph (1) shall be 25 percent.

“(B) EXCEPTION.—The Administrator may waive the cost-share requirement under subparagraph (A) if the grant recipient is or

1 serves a disadvantaged community (as defined
2 in subsection (d)(3)).

3 “(4) COMPLIANCE WITH BUY AMERICA.—Sub-
4 section (a)(4) shall apply to grant funds under this
5 subsection, without regard to the fiscal year limita-
6 tion in subparagraph (A) of that subsection.

7 “(5) REPORT TO CONGRESS.—

8 “(A) IN GENERAL.—Not later than 180
9 days after the date of enactment of this sub-
10 section, and not less frequently than annually
11 thereafter, the Administrator shall submit to
12 Congress a report that—

13 “(i) describes the projects awarded
14 grants under paragraph (1) during the ap-
15 plicable reporting period; and

16 “(ii) includes any recommendations of
17 the Administrator to improve the ability of
18 grants under paragraph (1) to achieve the
19 purposes described in section 2 of the
20 Water Infrastructure Modernization Act of
21 2021.

22 “(B) INITIAL REPORT.—The initial report
23 required under subparagraph (A) shall include
24 a description of the implementation of this sub-
25 section, including a description of—

1 “(i) the projects approved for a grant
2 under paragraph (1);

3 “(ii) the projects denied a grant under
4 paragraph (1); and

5 “(iii) for the projects described in
6 clause (ii), a description of the reasons for
7 which each project was denied a grant.

8 “(6) AUTHORIZATION OF APPROPRIATIONS.—

9 “(A) IN GENERAL.—There is authorized to
10 be appropriated to carry out this subsection
11 \$25,000,000 for the period of fiscal years 2023
12 through 2027, to remain available until ex-
13 pended.

14 “(B) SET-ASIDES.—

15 “(i) RURAL COMMUNITIES.—Of the
16 amounts made available under subpara-
17 graph (A), the Administrator shall use not
18 more than 20 percent to make grants to
19 owners and operators of community water
20 systems that serve a population of not
21 more than 10,000 individuals.

22 “(ii) TRIBAL COMMUNITIES.—Of the
23 amounts made available under subpara-
24 graph (A), the Administrator shall use not
25 less than 10 percent to make grants to

- 1 owners and operators of community water
- 2 systems that serve Indian Tribes.”.

