AMENDMENT TO
RULES COMMITTEE PRINT 117–9
OFFERED BY MS. TLAIB OF MICHIGAN

Amend section 13301 to read as follows:

SEC. 13301. EMERGENCY RELIEF PROGRAM.

(a) EMERGENCY RELIEF PROGRAM.—The Administrator shall establish and carry out a residential emergency relief program to provide payments to owners and operators of public water systems and owners and operators of treatment works to reimburse such owners and operators for providing forgiveness of arrearages and fees incurred by eligible residential customers before the date of enactment of this section to help such eligible residential customers retain, or reconnect or restore, drinking water service and wastewater service.

(b) PRIORITY.—In providing payments under the program, the Administrator shall prioritize public water systems and treatment works that serve eligible residential customers described in subsection (c)(3).

(e) CONDITIONS.—To receive funds under this section, an owner or operator of a public water system or treatment works shall agree to—
(1) except as otherwise provided in this section, use such funds to forgive—

(A) all arrearages incurred by eligible residential customers before the date of enactment of this section; and

(B) fees relating to direct costs of disconnection or nonpayment, or arrearages, incurred by eligible residential customers before the date of enactment of this section;

(2) forgive any fees not relating to direct costs of disconnection, nonpayment, or arrearages incurred by eligible residential customers before the date of enactment of this section;

(3) if forgiveness of all arrearages and fees described in paragraph (1) is not possible given the amount of funds received, except as otherwise provided in this section, prioritize the use of such funds to forgive or reduce such arrearages and fees for eligible residential customers that are members of households—

(A) described in section 2605(b)(2)(A) of the Low-Income Home Energy Assistance Act of 1981 (42 U.S.C. 8624(b)(2)(A));

(B) in which one or more individuals are participating in the special supplemental nutri-
tion program under section 17 of the Child Nutrition Act of 1966 (42 U.S.C. 1786); or

(C) where household income does not exceed the greater of—

(i) an amount equal to 200 percent of the poverty level for the State; or

(ii) an amount equal to 60 percent of the State median income;

(4) with respect to households described in paragraph (3)(C), give priority amongst such households to households with the highest arrearages in relation to household income;

(5) not later than 30 days after receiving such funds—

(A) in the case of a public water system, restore, without fee, water service to eligible residential customers who have been disconnected due to nonpayment; or

(B) in the case of a treatment works, withdraw any prior request to an owner or operator of a public water system to withhold the service of any eligible residential customer as a result of nonpayment or arrearages owed with respect to the treatment works and request such owner
or operator of a public water system to restore such service promptly;

(6) during the 5-year period that begins on the date on which the owner or operator receives such funds—

(A) take no action that negatively affects the credit score of an eligible residential customer;

(B) not pursue any type of collection action against such eligible residential customer; and

(C) not to sell the uncollected debt of any eligible residential customer;

(7) not disconnect or interrupt the service of any eligible residential customer as a result of non-payment or arrearages during such 5-year period;

(8) notify each eligible residential customer of the amount of such customer’s arrearages and fees forgiven or reduced;

(9) notify any State utility regulatory commission with jurisdiction over the public water system or treatment works of payments received under the program and the disposition of such funds;
(10) certify monthly to the Administrator that
it is adhering to the conditions under this sub-
section:

(11) publish monthly on its internet website, if
applicable—

(A) the total amount of funds received
under the program;

(B) the total amount credited to eligible
residential customers’ accounts under the pro-
gram; and

(C) any other data or reports submitted to
the Administrator pursuant to this section; and

(12) provide to the Administrator such other in-
formation as the Administrator determines appro-
priate.

(d) Eligible Customers.—To be eligible for for-
giveness or reduction of arrearages and fees pursuant to
the program, a residential customer of a public water sys-
tem or treatment works shall have accrued new arrearages
on or after March 1, 2020.

(e) Relationship to Other Law.—Notwith-
standing any other provision of law, the amount of any
forgiveness or reduction of arrearages and fees that an
eligible residential customer receives under the program
shall not be includible in the gross income of the customer
for purposes of the Internal Revenue Code of 1986, or otherwise considered income, or resources, of the customer or any member of the customer’s household for any purpose under any Federal or State law, including any law relating to taxation or public benefits programs.

(f) **Administrative Expenses.**—The Administrator may authorize—

(1) States to implement the program established under subsection (a); and

(2) a State implementing such program to use up to 4 percent of funds made available to carry out such program in such State for administrative expenses.

(g) **Submissions to Congress.**—

(1) **Monthly Reports.**—Not later than 180 days after the date of enactment of this section, and every other month thereafter until all amounts made available under this section are expended, the Administrator shall submit to the Committee on Energy and Commerce of the House of Representatives and the Committee on Environment and Public Works of the Senate a report that describes—

(A) each public water system and treatment works with respect to which a payment was received under or pursuant to this section;
(B) the total amount of each payment provided under or pursuant to this section;

(C) for each owner or operator of a public water system or treatment works receiving a payment under or pursuant to this section—

   (i) the amount of arrearages and fees forgiven or reduced;

   (ii) the number of eligible residential customers benefitting from forgiveness or reduction of arrearages and fees under this section;

   (iii) the amount of arrearages and fees of customers described in clause (ii) incurred before the date of enactment of this section that remain outstanding;

   (iv) the number of eligible residential customers that did not benefit from forgiveness or reduction of arrearages and fees under this section; and

   (v) the amount of arrearages and fees of customers described in clause (iv) incurred before the date of enactment of this section that remain outstanding; and

(D) a summary of any other information provided to the Administrator by an owner or
operator of a public water system or treatment
works that received a payment pursuant to this
section.

(2) Final report.—Not later than 30 days
after the Administrator receives the final certifi-
cation described in subsection (c)(10), the Adminis-
trator shall submit to the Committee on Energy and
Commerce of the House of Representatives and the
Committee on Environment and Public Works of the
Senate a report that describes the results of activi-
ties carried out pursuant to this section.

(h) Requirement.—In carrying out the program,
the Administrator shall take all necessary steps, including
outreach and the provision of technical assistance to own-
ers and operators of public water systems and treatment
works, to ensure that all such owners and operators serv-
ing residential customers, without regard to the number
of residential customers served, have a fair opportunity
to receive payments under the program.

(i) Authorization of Appropriations.—

(1) In general.—There is authorized to be
appropriated—

(A) $4,000,000,000 for payments to own-
ers and operators of public water systems under
the program, to remain available until expended; and

(B) $4,000,000,000 for payments to owners and operators of treatment works under the program, to remain available until expended,

(2) INSUFFICIENT APPLICATIONS.—The Administrator may use amounts made available—

(A) under paragraph (1)(A) to provide payments to owners and operators of treatment works under the program, if sufficient applications are not received from owners and operators of public water systems; and

(B) under paragraph (1)(B) to provide payments to owners and operators of public water systems under the program, if sufficient applications are not received from owners and operators of treatment works.

(j) DEFINITIONS.—In this section:

(1) ADMINISTRATOR.—The term “Administrator” means the Administrator of the Environmental Protection Agency.

(2) ELIGIBLE RESIDENTIAL CUSTOMER.—The term “eligible residential customer” means a residential customer of a public water system, or treatment works, described in subsection (d).
(3) PROGRAM.—The term “program” means the program established under subsection (a).

(4) PUBLIC WATER SYSTEM.—The term “public water system” has the meaning given such term in section 1401 of the Safe Drinking Water Act (42 U.S.C. 300f).

(5) TREATMENT WORKS.—The term “treatment works” has the meaning given such term in section 502 of the Federal Water Pollution Control Act (33 U.S.C. 1362).