AMENDMENT TO RULES COMMITTEE PRINT 117–9

OFFERED BY MS. TLAIB OF MICHIGAN

Amend section 13401 to read as follows:

SEC. 13401. SMALL URBAN AND RURAL WATER SYSTEM CONSOLIDATION REPORT.

(a) Report.—

(1) In general.—Not later than one year after the date of enactment of this Act, the Comptroller General 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 on issues relating to the potential for consolidation of distressed small water systems.

(2) Inclusions.—The report submitted under paragraph (1) shall include—

(A) information on—

(i) the amount of debt of covered small water systems;

(ii) whether the budgets of covered small water systems are balanced;
(iii) the degree to which covered small water systems defer infrastructure improvements;

(iv) the degree to which covered small water systems are not in compliance with applicable Federal and State water quality standards;

(v) how rates charged by covered small water systems for service relate to the costs for maintenance of, and improvements to, such systems;

(vi) how the management, financial, and technical capacity of covered small water systems affects the ability of such systems to provide service at affordable rates;

(vii) income inequity index for covered water systems;

(viii) racial, ethnic, and residential segregation data for covered water systems;

(ix) life expectancy of residents in covered water systems;
(x) utility governance structures and transparency of rates and investment decisions in covered water systems; and

(xi) how the covered water systems define and prioritize public health concerns as they relate to capital improvement plans, asset management plans, and other documents that guide their infrastructure investment decisions;

(B) an evaluation of—

(i) whether covered small water system infrastructure is failing, resulting in a temporary or permanent loss of essential functions or services;

(ii) how to prevent covered small water systems from becoming distressed small water systems;

(iii) how resident participation could be maintained and increased through consolidation;

(iv) the extent to which and in what ways consolidation would help covered systems financially, technically, and equitably;
(v) the extent to which and in what ways consolidation would impact rates for all customers; and

(vi) how the value of historic investments in the system could be equitably retained by the original owners of the systems;

(C) policy recommendations for how Congress should increase funding to support covered water systems or support residents in making decisions about whether or not to consolidate distressed small water systems; and

(D) best practices and guidelines the Administrator of the Environmental Protection Agency may use to assist State and local governments with facilitating the consolidation of distressed small water systems.

(b) DEFINITIONS.—In this section:

(1) CONSOLIDATION.—The term “consolidation” means, with respect to a public water system, any of the actions described in subparagraphs (A) through (D) of section 1414(h)(1) of the Safe Drinking Water Act (42 U.S.C. 300g–3(h)(1)).

(2) COVERED SMALL WATER SYSTEM.—The term “covered small water system” means a public
water system that serves fewer than 50,000 individuals.

(3) DISTRESSED SMALL WATER SYSTEM.—The term “distressed small water system” means a covered small water system—

(A) that is unable to carry out necessary maintenance of, and improvements to, such system in order to—

(i) comply with applicable Federal and State water quality standards; or

(ii) provide reliable and affordable service to customers while complying with such water quality standards; and

(B) with respect to which consolidation may be necessary to address the issues described in subparagraph (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).