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

Strike section 13302 and insert the following:

SEC. 13302. LOW-INCOME DRINKING WATER ASSISTANCE PROGRAM.

Part E of the Safe Drinking Water Act (42 U.S.C. 300j et seq.) is further amended by adding at the end the following:

“SEC. 1459F. LOW-INCOME DRINKING WATER ASSISTANCE PROGRAM.

“(a) DEFINITIONS.—In this section:

“(1) ELIGIBLE COMMUNITY WATER SYSTEM.—The term ‘eligible community water system’ means a community water system that serves a population of 100,000 or more.

“(2) ELIGIBLE ENTITY.—The term ‘eligible entity’ means an eligible community water system or a State, Territory, or Tribe.

“(3) HOUSEHOLD.—The term ‘household’ means any individual or group of individuals who are living together as 1 economic unit.

“(4) DRINKING WATER ACCESS PROGRAM.—The term ‘drinking water access program’ means a pro-
gram developed or implemented by an eligible entity using a grant awarded under paragraph (b)(7) or by a Regional Administrator under paragraph (b)(3).

“(5) LOW-INCOME HOUSEHOLD.—The term ‘low-income household’ means a household—

“(A) in which 1 or more individuals are receiving—

“(i) assistance under a State program funded under part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.);

“(ii) supplemental security income payments under title XVI of the Social Security Act (42 U.S.C. 1381 et seq.);

“(iii) supplemental nutrition assistance program benefits under the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.);

“(iv) payments under—

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

“(II) section 306 of the Veterans’ and Survivors’ Pension Improvement Act of 1978 (38 U.S.C. 1521 note; Public Law 95–588);
“(v) assistance under the Low Income Home Energy Assistance Program (42 U.S.C. 8621); or

“(vi) assistance under the Women Infants and Children program (42 U.S.C. 1786); or

“(B) that has an income that—

“(i) as determined by the Regional Administrator or eligible entity, as applicable, that is implementing a drinking water access program in the location in which the household resides, does not exceed the greater of—

“(I) an amount equal to 200 percent of the poverty level; and

“(II) an amount equal to 80 percent of the Area median income; or

“(ii) does not exceed an amount, determined by the Regional Administrator or an eligible entity, as applicable, that is implementing a drinking water access program in the location in which the household resides, that is higher that the amount described in clause (i).
“(6) **POVERTY LEVEL.**—The term ‘poverty level’ means, with respect to a household in a State, the income described in the poverty guidelines issued by the Secretary of Health and Human Services pursuant to section 673 of the Community Services Block Grant Act (42 U.S.C9902), as applicable to the household.

“(7) **AREA MEDIAN INCOME.**—The term ‘Area median income’ means the unadjusted median income levels by geographic area as determined annually by the Secretary of Housing and Urban Development.

“(8) **WATER CRISIS.**—The term ‘water crisis’ means weather-related and supply shortage emergencies and other household water-related emergencies, including but not limited to disconnection of water service for nonpayment, imminent disconnection of service for nonpayment, or other emergency threatening a household’s access to safe water service.

“(b) **ESTABLISHMENT.**—

“(1) **IN GENERAL.**—The Administrator shall establish within 12 months of the effective date of this section a Federal low-income drinking water assistance program to develop and implement drinking
water access programs to assist low-income households in maintaining access to affordable drinking water. The Federal low-income drinking water assistance program shall include funding to assist low-income households, technical assistance to community water systems, and data collection and reporting as provided in this section.

“(2) The Administrator shall delegate development and implementation of a drinking water access program within the service area of an eligible community water system or within geographic boundaries of a State, Territory, or Tribe to an eligible entity that submits an application for a grant that satisfies the requirements of paragraph (7). If an eligible community water system located within the jurisdiction of a State, Territory, or Tribe that has applied for or is developing and implementing a drinking water access program pursuant to a grant under paragraph (7) submits an application for a grant that satisfies the requirements of paragraph (7), the Administrator shall delegate development and implementation of a drinking water access program within the service area of the eligible community water system to the eligible community water system and shall not grant to or shall withdraw from the State,
Territory, or Tribe delegation of a drinking water access program within the service area of the eligible community water system. If required reports submitted to the Administrator by an eligible entity fail to demonstrate that the eligible entity’s drinking water access program is being developed and implemented in compliance with all requirements of this section, the Administrator shall promptly notify the eligible entity that its program is not in compliance and identify the necessary remedial actions and provide a deadline for promptly implementing those remedial actions. The Administrator shall revoke or refuse to renew delegation to the eligible entity if the eligible entity fails to take the necessary remedial actions by the deadline set by the Administrator.

“(3) In any State, Territory, Tribe or portion thereof where an eligible entity is not developing and implementing a drinking water access program pursuant to authority delegated by the Administrator under paragraph (b)(2), the Administrator shall direct the applicable Regional Administrator, in consultation with relevant stakeholders and with an opportunity for a public hearing and public comment on a proposed program for each fiscal year, to develop and implement a drinking water access pro-
gram that meets the requirements developed under paragraph (5) and treats households that live in owner-occupied homes and households that live in rental housing equitably.

“(4) LIMITATIONS.—A grant awarded under this subsection—

“(A) shall not be used to replace funds for any existing similar program to assist low-income households in maintaining access to affordable drinking water; but

“(B) may be used to supplement or enhance such a program.

“(5) MINIMUM DRINKING WATER ACCESS PROGRAM REQUIREMENTS.—

“(A) IN GENERAL.—Not later than 6 months after the date of enactment of this section, the Administrator shall develop, in consultation with relevant stakeholders, including frontline community groups, tribal communities, and impacted customers and with an opportunity for public comment on proposed requirements, the minimum requirements for a drinking water access program.
“(B) INCLUSIONS.—The drinking water access program requirements developed under subparagraph (A) shall include—

“(i) the following types of assistance, with greater assistance amounts provided to households with lower incomes, taking into account household size, and higher drinking water costs—

“(I) direct financial assistance, including bill discounting, percentage-of-income payment plan, a lifeline rate, or any other form of direct assistance identified by the Administrator;

“(II) arrearage management assistance, including a partial payment and debt reduction plan,

“(III) water crisis assistance; and

“(IV) water efficiency assistance, including providing or subsidizing the cost of installation of water efficient appliances and fixtures or leak detection and plumbing repair work; and
“(ii) provisions to ensure that all low-income households will be eligible for assistance; and

“(iii) provisions to ensure that no household receiving assistance under the program;

“(I) is disconnected from service, loses access to or ownership of its current housing, or is otherwise denied access to an amount of water sufficient to meet its essential needs because of the household’s inability to pay bills owed to a community water system or, where the drinking water account-holder for the household’s dwelling is not a member of the household, due to the failure of the account-holder to pay bills owed to the community water system; or

“(II) is required to pay any fees, charges, or deposits associated with late payments, unpaid bills, service initiation, and service reconnection;

“(iv) procedures that minimize burdens on low-income households of filing a
complete application for assistance, including but not limited to allowing for alternative forms of identification; and

“(v) coordination of development and implementation of the drinking water access program with other existing water assistance programs, energy assistance programs, and other relevant Federal, State, and local programs that provide financial or other assistance to low-income households.

“(6) ALLOCATION OF FUNDS.—

“(A) IN GENERAL.—The Administrator shall allocate funds appropriated annually for the Federal low-income drinking water assistance program to eligible entities and Regional Administrators developing and implementing drinking water access programs proportionally based upon the percentage which the number of households within the geographic area served by the drinking water access program with income equal or less than 200 percent of the poverty level bears to the number of households in all States, Territories, and Tribes with income equal or less than 200 percent of the poverty
level; provided that, following collection of sufficient data, including data reported pursuant to this section, the allocation criteria shall also account for the number of drinking water service disconnections for nonpayment and the amount of drinking water services debt held by low-income households within the geographic area served by the drinking water access program.

“(B) Exceptions.—Notwithstanding paragraph (b)(6)(A), the Administrator may reserve up to 10 percent of appropriated funds to provide supplementary funds to assist low-income households in—

“(i) Tribes and Territories that have historically lacked equitable access to Federal and State financial assistance for water and wastewater infrastructure; and

“(ii) Communities experiencing lack of access to safe public drinking water services to meet essential household needs;

“(7) Application.—

“(A) In general.—To receive a grant under this subsection, an eligible entity shall submit annually to the Administrator an application that demonstrates that—
“(i) the proposed drinking water access program meets the requirements
developed under paragraph (5); and

“(ii) the proposed drinking water access program will treat households that live in owner-occupied homes and households that live in rental housing equitably.

“(B) ADDITIONAL REQUIREMENTS.—To receive a grant under this subsection, the eligible entity shall include in an application submitted under subparagraph (A) information demonstrating that—

“(i) the eligible entity has the capacity to make assistance under a drinking water access program available to all low-income households in its jurisdiction or service area, without regard to where that household resides within the jurisdiction or service area;

“(ii) the eligible entity has the capacity to fulfill the data collection and management requirements set forth in paragraph (9);

“(iii) the eligible entity has the capacity to develop and implement, in coordina-
tion with technical assistance providers, an effective community outreach plan to inform low-income households of the drinking water access program and assist with enrollment; and

“(iv) the eligible entity has developed its proposed drinking water access program in consultation with relevant stakeholders, including frontline community groups, tribal communities, and impacted stakeholders, and with an opportunity for a public hearing and public comment on a proposed program for each fiscal year.

“(8) TECHNICAL ASSISTANCE.—Within the funds allocated to each eligible entity and Regional Administrator under paragraph (6), the Administrator shall allocate technical assistance funding to facilitate enrollment by low-income households and ensure fulfillment of reporting requirements under this section. The Administrator shall set minimum requirements for technical assistance administered by eligible entities and Regional Administrators, including but not limited to:

“(A) outreach to low-income households in communities with high incidence of disconnec-
tions or that may face difficulty accessing assistance, including households in geographically remote locations, households lacking access to telecommunications networks including home broadband internet service, households with limited English proficiency, and households with disabilities as defined under the Americans with Disabilities Act;

“(B) developing the capacity of small and mid-size community water systems to effectuate the assistance types described in paragraph (5);

“(C) set aside a minimum of 20 percent of total technical assistance funding for improvement of data management systems, including billing systems, websites, electronic customer communications, and use of easily accessible technologies, such as smartphone applications, for community water systems that provide service to populations of fewer than 100,000; and

“(D) set aside a minimum of 20 percent of total technical assistance funding for environmental justice and community based organizations to build capacity and provide assistance for under-resourced communities to fully access the program and to address other urgent water
affordability needs in under-resourced communities. Prior to setting the minimum requirements for technical assistance, the Administrator shall engage with environmental justice and community based organizations to make them aware of the technical assistance set aside.

“(9) REPORTING REQUIREMENTS.—

“(A) IN GENERAL.—An eligible entity or Regional Administrator developing or implementing a drinking water access program under this section shall submit to the Administrator, in a manner determined by the Administrator, information regarding the applicable drinking water access program, including—

“(i) key features, including—

“(I) An explanation, with relevant supporting data, for the program design selected pursuant to the requirements of paragraphs (5) and (7);

“(II) the demonstrable impacts of the program on arrearages, service disconnection, and other debt collection activities for low-income house-
holds that participate in the program, based on data from before and after the initiation of the program, including at minimum: number of disconnections for nonpayment, length of disconnections, amount of debt at time of disconnection, number of households and amount of debt subject to sale or enforcement of property liens, number of households enrolled in the program, number of eligible households, benefit levels, and amount of debt reduction for enrolled households, and number of enrolled households reconnected to water service, provided that such information shall be provided by zip code;

“(III) Revenue collection information from each community water system within the geographic area served by the program, including at minimum: rate design for residential customers, billing frequency, fees and charges included on the bill, and pro-
jected rate increases over the next five years;

“(IV) Information regarding drinking water customer assistance programs within the geographic area served by the program that are not funded by a grant under this section, including: rate structures, rebates, discounts, billing methods that average rates over the course of a year, known as ‘budget billing,’ and procedures that ensure that households receive notice and an opportunity to dispute charges before service is disconnected or interrupted due to non-payment; and

“(ii) other relevant information required by the Administrator.

“(B) With respect to drinking water access programs developed or implemented by States, Territories, Tribes, or Regional Administrator, the Administrator may provide for a phase-in of the reporting requirements under paragraph (9)(A)(i)(II), (9)(A)(i)(III) and (9)(A)(ii), taking into consideration the availability of tech-
nical assistance pursuant to paragraph (8) re-

lated to data reporting.

“(C) Use of national surveys The Director
of the United States Census Bureau shall, in
coordination with the Administrator, add one or
more questions into the American Community
Survey to ascertain whether households have
faced difficulty paying for drinking water and
wastewater.

“(D) An eligible community water system
that is developing or implementing a drinking
water access program shall report to its State
drinking water quality regulator the amount of
all grants it receives under this section and all
information it submits to the Administrator
pursuant to paragraphs (b)(7) and (b)(9).

“(E) PUBLICATION.—The Administrator
shall annually make all program data available
in an easily accessible format on its website and
publish a report that compiles and summarizes
the information submitted under subparagraphs
(A) and (B).

“(10) ASSISTANCE EXEMPT FROM TAXATION.—

“(A) Notwithstanding any other provision
of law, assistance provided to a low-income
household under a drinking water access program shall not be includible in the gross income of the recipient of such assistance for purposes of the Internal Revenue Code of 1986 and shall not be considered income or resources of such household (or any member thereof) for any purpose under any other Federal or State law, including any law relating to taxation or governmental assistance programs.

“(B) A grant received under this section by an eligible community water system that is subject to Federal or State income tax shall not be considered income for purposes of any Federal or State income tax law if the eligible community water system certifies to the Administrator that it has adopted and is implementing a policy that prevents any household from being disconnected from service or otherwise denied access to an amount of water sufficient to meet its essential needs because of the household’s inability to pay bills owed to the community water system or, where the drinking water account-holder for the household’s dwelling is not a member of the household, due to the failure of the account-holder to pay bills owed to the
community water system, except that if the Administrator determines that the certification does not adequately demonstrate that the community water system has adopted and is implementing such a policy then nothing in this section shall affect the application of Federal or State tax law to the grant.

“(11) FINANCIAL TERMS FOR PRIVATE UTILITIES.—

“(A) Any community water system that is owned by shareholders or individuals shall not derive any financial benefits, including but not limited to increased rates of return on capital investments, dividends, and interest, from receipt of funding under this section.

“(B) An eligible community water system that is regulated by a State utility commission and is owned by shareholders that is developing or implementing a drinking water access program shall report to its State utility commission or equivalent financial regulator the amount of all grants it receives under this section and all information it submits to the Administrator pursuant to paragraphs (b)(7) and (b)(9).
“(c) REPORT.—Not later than 2 years after the date on which grant funds are first disbursed to an eligible entity under this section, and annually thereafter, the Administrator shall submit to Congress a report on the results of the Federal program established under this section.

“(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $4,000,000,000, to remain available until expended.”.

Strike section 13303 and insert the following:

SEC. 13303. LOW-INCOME WASTEWATER ASSISTANCE PROGRAM.

Title I of the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.) is amended by adding at the end the following:

“SEC. 124. LOW-INCOME WASTEWATER ASSISTANCE PROGRAM.

“(a) DEFINITIONS.—In this section:

“(1) ELIGIBLE WASTEWATER OR STORMWATER SYSTEM.—The term ‘eligible wastewater or stormwater system’ means—

“(A) a treatment works for municipal waste that serves a population of 100,000 or more;
“(B) a municipal separate storm sewer system that serves a population of 100,000 or more; or

“(C) 2 or more treatment works for municipal waste or municipal separate storm sewer systems that jointly serve a population of 100,000 or more and have entered into a partnership agreement or a cooperative agreement.

“(2) ELIGIBLE ENTITY.—The term ‘eligible entity’ means an eligible wastewater or stormwater system or a State, Territory, or Tribe.

“(3) HOUSEHOLD.—The term ‘household’ means any individual or group of individuals who are living together as 1 economic unit.

“(4) WASTEWATER SERVICES ACCESS PROGRAM.—The term ‘wastewater services access program’ means a program developed or implemented by an eligible entity using a grant awarded under paragraph (b)(7) or by the Administrator under paragraph (b)(3).

“(5) LOW-INCOME HOUSEHOLD.—The term ‘low-income household’ means a household—

“(A) in which 1 or more individuals are receiving—
“(i) assistance under a State program funded under part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.);

“(ii) supplemental security income payments under title XVI of the Social Security Act (42 U.S.C. 1381 et seq.);

“(iii) supplemental nutrition assistance program benefits under the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.);

“(iv) payments under—

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

“(II) section 306 of the Veterans’ and Survivors’ Pension Improvement Act of 1978 (38 U.S.C. 1521 note; Public Law 95–588);

“(v) assistance under the Low Income Home Energy Assistance Program (42 U.S.C. 8621); or

“(vi) assistance under the Women Infants and Children program (42 U.S.C. 1786); or

“(B) that has an income that—
“(i) as determined by the Regional Administrator or eligible entity, as applicable, that is implementing a wastewater services access program in the location in which the household resides, does not exceed the greater of—

“(I) an amount equal to 200 percent of the poverty level; and

“(II) an amount equal to 80 percent of the Area median income; or

“(ii) does not exceed an amount, determined by the Administrator or eligible entity, as applicable, that is implementing a wastewater services access program in the location in which the household resides, that is higher that the amount described in clause (i).

“(6) Poverty level.—The term ‘poverty level’ means, with respect to a household in a State, the income described in the poverty guidelines issued by the Secretary of Health and Human Services pursuant to section 673 of the Community Services Block Grant Act (42 U.S.C. 9902), as applicable to the household.
“(7) AREA MEDIAN INCOME.—The term ‘Area median income’ means the unadjusted median income levels by geographic area as determined annually by the Secretary of Housing and Urban Development.

“(8) WASTEWATER.—The term ‘wastewater crisis’ means weather-related and supply shortage emergencies and other household wastewater-related emergencies, including but not limited to disconnection of water service for nonpayment of wastewater or stormwater bills or charges, imminent disconnection of water service for nonpayment of wastewater or stormwater bills or charges, or other emergency threatening a household’s access to safe wastewater service.

“(9) HOUSEHOLD.—The term ‘household’ means any individual or group of individuals who are living together as 1 economic unit.

“(b) ESTABLISHMENT.—

“(1) IN GENERAL.—The Administrator shall establish within 12 months of the effective date of this section a Federal low-income wastewater assistance program to develop and implement wastewater services access programs to assist low-income households in maintaining access to affordable wastewater serv-
ices and municipal stormwater services. The Federal
low-income wastewater assistance program shall in-
clude funding to assist low-income households, tech-
tical assistance to treatment works for municipal
waste and municipal separate storm sewer systems,
and data collection and reporting as provided in this
section.

“(2) The Administrator shall delegate develop-
ment and implementation of a wastewater services
access program within the service area of an eligible
wastewater or stormwater system or within geo-
graphic boundaries of a State, Territory, or Tribe to
an eligible entity that submits an application for a
grant that satisfies the requirements of paragraph
(7). If an eligible wastewater or stormwater system
located within the jurisdiction of a State, Territory,
or Tribe that has applied for or is developing and
implementing a wastewater services access program
pursuant to a grant under paragraph (7) submits an
application for a grant that satisfies the require-
ments of paragraph (7), the Administrator shall del-
egate development and implementation of a waste-
water services access program within the service
area of the eligible wastewater or stormwater system
to the eligible wastewater or stormwater system and
shall not grant to or shall withdraw from the State, Territory, or Tribe delegation of a wastewater services access program within the service area of the eligible wastewater or stormwater water system. If required reports submitted to the Administrator by an eligible entity fail to demonstrate that the eligible entity’s wastewater services access program is being developed and implemented in compliance with all requirements of this section, the Administrator shall promptly notify the eligible entity that its program is not in compliance and identify the necessary remedial actions and provide a deadline for promptly implementing those remedial actions. The Administrator shall revoke or refuse to renew delegation to the eligible entity if the eligible entity fails to take the necessary remedial actions by the deadline set by the Administrator.

“(3) In any State, Territory, Tribe or portion thereof where an eligible entity is not developing and implementing a wastewater services access program pursuant to authority delegated by the Administrator under paragraph (b)(2), the Administrator shall direct the applicable Regional Administrator, in consultation with relevant stakeholders and with an opportunity for a public hearing and public comment
on a proposed program for each fiscal year, to de-
velop and implement a wastewater services access
program that meets the requirements developed
under paragraph (5) and treats households that live
in owner-occupied homes and households that live in
rental housing equitably.

“(4) LIMITATIONS.—A grant awarded under
this subsection—

“(A) shall not be used to replace funds for
any existing similar program to assist low in-
come households in maintaining access to af-
fordable wastewater and municipal stormwater
services; but

“(B) may be used to supplement or en-
hance such a program.

“(5) MINIMUM WASTEWATER SERVICES ACCESS
PROGRAM REQUIREMENTS.—

“(A) IN GENERAL.—Not later than 6
months after the date of enactment of this sec-
tion, the Administrator shall develop, in con-
sultation with relevant stakeholders, including
frontline community groups, tribal communities,
and impacted customers, and with an oppor-
tunity for public comment on proposed require-
ments, the minimum requirements for a wastewater services access program.

“(B) INCLUSIONS.—The wastewater services access program requirements developed under subparagraph (A) shall include—

“(i) the following types of assistance, with greater assistance amounts provided to households with lower incomes, taking into account household size, and higher wastewater and municipal stormwater services costs—

“(I) direct financial assistance, including bill discounting, percentage-of-income payment plan, a lifeline rate, or any other form of direct assistance identified by the Administrator;

“(II) Arrearage management assistance, including a partial payment and debt reduction plan;

“(III) wastewater crisis assistance; and

“(IV) water efficiency assistance, including providing or subsidizing the cost of installation of water efficient
appliances and fixtures or leak detection and plumbing repair work;

“(ii) provisions to ensure that all low-income households will be eligible for assistance;

“(iii) provisions to ensure that no household receiving assistance under the program:

“(I) is disconnected from drinking water service, loses access to or ownership of its current housing, or is otherwise denied access to an amount of water sufficient to meet its essential needs because of the household’s inability to pay bills owed to a wastewater or stormwater system or, where the wastewater or stormwater account-holder for the household’s dwelling is not a member of the household, due to the failure of the account-holder to pay bills owed to the wastewater or stormwater system; or

“(II) is required to pay any fees, charges, or deposits associated with
late payments, unpaid bills, service
initiation, and service reconnection;
“(iv) procedures that minimize bur-
dens on low-income households of filing a
complete application for assistance, includ-
ing but not limited to allowing for alter-
native forms of identification; and
“(v) coordination of development and
implementation of the wastewater services
access program with other existing water
assistance programs, energy assistance
programs, and other relevant Federal,
State, and local programs that provide fi-
nancial or other assistance to low-income
households.
“(6) ALLOCATION OF FUNDS.—
“(A) IN GENERAL.—The Administrator
shall allocate funds appropriated annually for
the Federal low-income wastewater assistance
program to eligible entities and Regional Ad-
ministrators developing and implementing
wastewater services access programs propor-
tionally based upon the percentage which the
number of households within the geographic
area served by the wastewater services access
program with income equal or less than 200 percent of the poverty level bears to the number of households in all States, Territories, and Tribes with income equal or less than 200 percent of the poverty level; provided that, following collection of sufficient data, including data reported pursuant to this section, the allocation criteria shall also account for the number of drinking service disconnections for non-payment and the amount of wastewater and municipal stormwater services debt held by low-income households within the geographic area served by the wastewater services access program.

“(B) EXCEPTIONS.—Notwithstanding paragraph (b)(6)(A), the Administrator may reserve up to 10 percent of appropriated funds to provide supplementary funds to assist low-income households in:

“(i) Tribes and Territories that have historically lacked equitable access to Federal and State financial assistance for water and wastewater infrastructure; and

“(ii) Communities experiencing lack of access to safe public wastewater services;
“(7) APPLICATION.—

“(A) IN GENERAL.—To receive a grant under this subsection, an eligible entity shall submit annually to the Administrator an application that demonstrates that—

“(i) the proposed wastewater services access program meets the requirements developed under paragraph (5); and

“(ii) the proposed wastewater services access program will treat households that live in owner-occupied homes and households that live in rental housing equitably.

“(B) ADDITIONAL REQUIREMENTS.—To receive a grant under this subsection, the eligible entity shall include in an application submitted under subparagraph (A) information demonstrating that—

“(i) the eligible entity has the capacity to make assistance under a wastewater services access program available to all low-income households in its jurisdiction or service area, without regard to where that household resides within the jurisdiction or service area;
“(ii) “the eligible entity has the capacity to fulfill the data collection and management requirements set forth in paragraph (9);

“(iii) the eligible entity has the capacity to develop and implement, in coordination with technical assistance providers, an effective community outreach plan to inform low-income households of the wastewater services access program and assist with enrollment; and

“(iv) the eligible entity has developed its proposed wastewater services access program in consultation with relevant stakeholders, including frontline community groups, tribal communities, and impacted stakeholders, and with an opportunity for a public hearing and public comment on a proposed program for each fiscal year.

“(8) TECHNICAL ASSISTANCE.—Within the funds allocated to each eligible entity and Regional Administrator under paragraph (6), the Administrator shall allocate technical assistance funding to facilitate enrollment by low-income households and
ensure fulfillment of reporting requirements under this section. The Administrator shall set minimum requirements for technical assistance administered by eligible entities and Regional Administrators, including but not limited to:

“(A) outreach to low-income households in communities with high incidence of disconnections or that may face difficulty accessing assistance, including households in geographically remote locations, households lacking access to telecommunications networks including home broadband internet service, households with limited English proficiency, and households with disabilities as defined under the Americans with Disabilities Act;

“(B) developing the capacity of small and mid-size treatment works for municipal waste and municipal separate storm sewer systems to effectuate the assistance types described in paragraph (5);

“(C) set aside a minimum of 20 percent of total technical assistance funding for improvement of data management systems, including billing systems, websites, electronic customer communications, and use of easily accessible
technologies, such as smartphone applications, for treatment works for municipal waste and municipal separate storm sewer systems that provide service to populations of fewer than 100,000; and

“(D) set aside a minimum of 20 percent of total technical assistance funding for environmental justice and community based organizations to build capacity and provide assistance for under-resourced communities to fully access the program and to address other urgent wastewater and stormwater affordability needs in under-resourced communities. Prior to setting the minimum requirements for technical assistance, the Administrator shall engage with environmental justice and community based organizations to make them aware of the technical assistance set aside.

“(9) REPORTING REQUIREMENTS.—

“(A) IN GENERAL.—An eligible entity or Regional Administrator implementing a wastewater services access program under this section shall submit to the Administrator, in a manner determined by the Administrator, infor-
mation regarding the applicable wastewater services access program, including—

“(i) key features, including—

“(I) an explanation, with relevant supporting data, for the program design selected pursuant to the requirements of paragraphs (5) and (7);

“(II) the demonstrable impacts of the program on arrearages, drinking water service disconnection, and other debt collection activities for low-income households that participate in the program, based on data from before and after the initiation of the program, including at minimum: number of disconnections for nonpayment, length of disconnections, amount of debt at time of disconnection, number of households and amount of debt subject to sale or enforcement of property liens, number of households enrolled in the program, number of eligible households, benefit levels, and amount of debt reduction for enrolled households, and number of enrolled
households reconnected to water service, provided that such information shall be provided by zip code;

“(III) revenue collection information from each treatment works for municipal waste and municipal separate storm sewer system within the geographic area served by the program, including at minimum: rate design for residential customers, billing frequency, fees and charges included on the bill, and projected rate increases over the next five years;

“(IV) information regarding wastewater and stormwater customer assistance programs within the geographic area served by the program that are not funded by a grant under this section, including: rate structures, rebates, discounts, billing methods that average rates over the course of a year, known as ‘budget billing,’ and procedures that ensure that households receive notice and an opportunity to dispute charges before serv-
ice is disconnected or interrupted due to nonpayment; and

“(ii) other relevant information required by the Administrator.

“(B) With respect to wastewater services access programs developed or implemented by States, Territories, Tribes, or Regional Administrator, the Administrator may provide for a phase-in of the reporting requirements under paragraph (9)(A)(i)(II), (9)(A)(i)(III) and (9)(A)(ii), taking into consideration the availability of technical assistance pursuant to paragraph (8) related to data reporting.

“(C) USE OF NATIONAL SURVEYS.—The Director of the United States Census Bureau shall, in coordination with the Administrator, add one or more questions into the American Community Survey to ascertain whether households have faced difficulty paying for wastewater.

“(E) PUBLICATION.—The Administrator shall annually make all program data available in an easily accessible format on its website and publish a report that compiles and summarizes
the information submitted under subparagraphs (A) and (B).

“(10) ASSISTANCE EXEMPT FROM TAXATION.—

“(A) Notwithstanding any other provision of law, assistance provided to a low-income household under a wastewater access program shall not be includible in the gross income of the recipient of such assistance for purposes of the Internal Revenue Code of 1986 and shall not be considered income or resources of such household (or any member thereof) for any purpose under any other Federal or State law, including any law relating to taxation or governmental assistance programs.

“(B) A grant received under this section by a treatment works for municipal waste that is subject to Federal or State income tax shall not be considered income for purposes of any Federal or State income tax law if the treatment works certifies to the Administrator that it has adopted and is implementing a policy that prevents any household from being disconnected from drinking water service or otherwise denied access to an amount of water sufficient to meet its essential needs because of the
household’s inability to pay bills owed to the
treatment works or, where the wastewater ac-
count-holder for the household’s dwelling is not
a member of the household, due to the failure
of the account-holder to pay bills owed to the
treatment works, except that if the Adminis-
trator determines that the certification does not
adequately demonstrate that the treatment
works has adopted and is implementing such a
policy then nothing in this section shall affect
the application of Federal or State tax law to
the grant.

“(11) FINANCIAL TERMS FOR PRIVATE UTILI-
ties.—

“(A) Any treatment works that is owned
by shareholders or individuals shall not derive
any financial benefits, including but not limited
to increased rates of return on capital invest-
ments, dividends, and interest from receipt of
funding under this section.

“(B) An eligible wastewater or stormwater
system that is regulated by a State utility com-
mission and is owned by shareholders that is
developing or implementing a wastewater serv-
ices access program shall report to its State
utility commission or equivalent financial regulator the amount of all grants it receives under this section and all information it submits to the Administrator pursuant to paragraphs (b)(7) and (b)(9).

“(c) REPORT.—Not later than 2 years after the date on which grant funds are first disbursed to an eligible entity under this section, and annually thereafter, the Administrator shall submit to Congress a report on the results of the Federal program established under this section.

“(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated carry out this section $4,000,000,000, to remain available until expended.”.