

1 **TITLE VII—ENERGY AND**
2 **ENVIRONMENT PROVISIONS**

3 **SEC. 190701. HOME ENERGY AND WATER SERVICE CON-**
4 **TINUITY.**

5 Any entity receiving financial assistance pursuant to
6 any division of this Act shall, to the maximum extent prac-
7 ticable, establish or maintain in effect policies to ensure
8 that no home energy service or public water system service
9 to a residential customer, which is provided or regulated
10 by such entity, is or remains disconnected or interrupted
11 during the emergency period described in section
12 1135(g)(1)(B) of the Social Security Act because of non-
13 payment, and all reconnections of such public water sys-
14 tem service are conducted in a manner that minimizes risk
15 to the health of individuals receiving such service. For pur-
16 poses of this section, the term “home energy service”
17 means a service to provide home energy, as such term is
18 defined in section 2603 of the Low-Income Home Energy
19 Assistance Act of 1981, or service provided by an electric
20 utility, as such term is defined in section 3 of the Public
21 Utility Regulatory Policies Act of 1978, and the term
22 “public water system” has the meaning given that term
23 in section 1401 of the Safe Drinking Water Act. Nothing
24 in this section shall be construed to require forgiveness
25 of any debt incurred or owed to an entity or to absolve

1 an individual of any obligation to an entity for service,
2 nor to preempt any State or local law or regulation gov-
3 erning entities that provide such services to residential
4 customers.

5 **SEC. 190702. ENVIRONMENTAL JUSTICE GRANT PROGRAMS.**

6 (a) ENVIRONMENTAL JUSTICE GRANTS.—The Ad-
7 ministrator of the Environmental Protection Agency shall
8 continue to carry out—

9 (1) the Environmental Justice Small Grants
10 Program and the Environmental Justice Collabo-
11 rative Problem-Solving Cooperative Agreement Pro-
12 gram, as those programs are in existence on the date
13 of enactment of this Act; and

14 (2) the Community Action for a Renewed Envi-
15 ronment grant programs I and II, as in existence on
16 January 1, 2012.

17 (b) USE OF FUNDS FOR GRANTS IN RESPONSE TO
18 COVID–19 PANDEMIC.—With respect to amounts appro-
19 priated by division A of this Act that are available to carry
20 out the programs described in subsection (a), the Adminis-
21 trator of the Environmental Protection Agency may only
22 award grants under such programs for projects that will
23 investigate or address the disproportionate impacts of the
24 COVID–19 pandemic in environmental justice commu-
25 nities.

1 (c) AUTHORIZATION OF APPROPRIATIONS.—There is
2 authorized to be appropriated to carry out the programs
3 described in subsection (a) \$50,000,000 for fiscal year
4 2020, and such sums as may be necessary for each fiscal
5 year thereafter.

6 (d) DISTRIBUTION.—Not later than 30 days after
7 amounts are made available pursuant to subsection (c),
8 the Administrator of the Environmental Protection Agen-
9 cy shall make awards of grants under each of the pro-
10 grams described in subsection (a).

11 **SEC. 190703. LOW-INCOME HOUSEHOLD DRINKING WATER**
12 **AND WASTEWATER ASSISTANCE.**

13 (a) AUTHORIZATION OF APPROPRIATIONS.—There is
14 authorized to be appropriated \$1,500,000,000 to the Sec-
15 retary to carry out this section.

16 (b) LOW-INCOME HOUSEHOLD DRINKING WATER
17 AND WASTEWATER ASSISTANCE.—The Secretary shall
18 make grants to States and Indian Tribes to assist low-
19 income households, particularly those with the lowest in-
20 comes, that pay a high proportion of household income
21 for drinking water and wastewater services, by providing
22 funds to owners or operators of public water systems or
23 treatment works to reduce rates charged to such house-
24 holds for such services.

1 (c) NONDUPLICATION OF EFFORT.—In carrying out
2 this section, the Secretary, States, and Indian Tribes, as
3 applicable, shall, as appropriate and to the extent prac-
4 ticable, use existing processes, procedures, policies, and
5 systems in place to provide assistance to low-income
6 households, including by using existing application and ap-
7 proval processes.

8 (d) ALLOTMENT.—

9 (1) IN GENERAL.—Except as provided in para-
10 graph (2), the Secretary shall allot amounts appro-
11 priated pursuant to this section to a State or Indian
12 Tribe based on the following:

13 (A) The percentage of households in the
14 State, or under the jurisdiction of the Indian
15 Tribe, with income equal to or less than 150
16 percent of the Federal poverty line.

17 (B) The percentage of such households in
18 the State, or under the jurisdiction of the In-
19 dian Tribe, that spend more than 30 percent of
20 monthly income on housing.

21 (C) The extent to which the State or In-
22 dian Tribe has been affected by the public
23 health emergency, including the rate of trans-
24 mission of COVID–19 in the State or area over
25 which the Indian Tribe has jurisdiction, the

1 number of COVID–19 cases compared to the
2 national average, and economic disruptions re-
3 sulting from the public health emergency.

4 (2) RESERVED FUNDS.—The Secretary shall re-
5 serve not more than 10 percent of the amounts ap-
6 propriated pursuant to this section for allotment to
7 States and Indian Tribes based on the economic dis-
8 ruptions to the States and Indian Tribes resulting
9 from the emergency described in the emergency dec-
10 laration issued by the President on March 13, 2020,
11 pursuant to section 501(b) of the Robert T. Stafford
12 Disaster Relief and Emergency Assistance Act (42
13 U.S.C. 5191(b)), during the period covered by such
14 emergency declaration and any subsequent major
15 disaster declaration under section 401 of such Act
16 (42 U.S.C. 5170) that supersedes such emergency
17 declaration.

18 (e) DETERMINATION OF LOW-INCOME HOUSE-
19 HOLDS.—

20 (1) MINIMUM DEFINITION OF LOW-INCOME.—In
21 determining whether a household is considered low-
22 income for the purposes of this section, a State or
23 Indian Tribe—

24 (A) shall ensure that, at a minimum—

1 (i) all households with income equal to
2 or less than 150 percent of the Federal
3 poverty line are included as low-income
4 households; and

5 (ii) all households with income equal
6 to or less than 60 percent of the State me-
7 dian income are included as low-income
8 households;

9 (B) may include households that have been
10 adversely economically affected by job loss or
11 severe income loss related to the public health
12 emergency; and

13 (C) may include other households, includ-
14 ing households in which 1 or more individuals
15 are receiving—

16 (i) assistance under the State pro-
17 gram funded under part A of title IV of
18 the Social Security Act (42 U.S.C. 601 et
19 seq.);

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

23 (iii) supplemental nutrition assistance
24 program benefits under the Food and Nu-

1 trition Act of 2008 (7 U.S.C. 2011 et
2 seq.); or

3 (iv) payments under section 1315,
4 1521, 1541, or 1542 of title 38, United
5 States Code, or under section 306 of the
6 Veterans' and Survivors' Pension Improve-
7 ment Act of 1978.

8 (2) HOUSEHOLD DOCUMENTATION REQUIRE-
9 MENTS.—States and Indian Tribes shall—

10 (A) to the maximum extent practicable,
11 seek to limit the income history documentation
12 requirements for determining whether a house-
13 hold is considered low-income for the purposes
14 of this section; and

15 (B) for the purposes of income eligibility,
16 accept proof of job loss or severe income loss
17 dated after February 29, 2020, such as a layoff
18 or furlough notice or verification of application
19 of unemployment benefits, as sufficient to dem-
20 onstrate lack of income for an individual or
21 household.

22 (f) APPLICATIONS.—Each State or Indian Tribe de-
23 siring to receive a grant under this section shall submit
24 an application to the Secretary, in such form as the Sec-
25 retary shall require.

1 (g) UTILITY RESPONSIBILITIES.—Owners or opera-
2 tors of public water systems or treatment works receiving
3 funds pursuant to this section for the purposes of reducing
4 rates charged to low-income households for service shall—

5 (1) conduct outreach activities designed to en-
6 sure that such households are made aware of the
7 rate assistance available pursuant to this section;

8 (2) charge such households, in the normal bill-
9 ing process, not more than the difference between
10 the actual cost of the service provided and the
11 amount of the payment made by the State or Indian
12 Tribe pursuant to this section; and

13 (3) within 45 days of providing assistance to a
14 household pursuant to this section, notify in writing
15 such household of the amount of such assistance.

16 (h) STATE AGREEMENTS WITH DRINKING WATER
17 AND WASTEWATER PROVIDERS.—To the maximum extent
18 practicable, a State that receives a grant under this sec-
19 tion shall enter into agreements with owners and operators
20 of public water systems, owners and operators of treat-
21 ment works, municipalities, nonprofit organizations asso-
22 ciated with providing drinking water, wastewater, and
23 other social services to rural and small communities, and
24 Indian Tribes, to assist in identifying low-income house-
25 holds and to carry out this section.

1 (i) ADMINISTRATIVE COSTS.—A State or Indian
2 Tribe that receives a grant under this section may use up
3 to 8 percent of the granted amounts for administrative
4 costs.

5 (j) FEDERAL AGENCY COORDINATION.—In carrying
6 out this section, the Secretary shall coordinate with the
7 Administrator of the Environmental Protection Agency
8 and consult with other Federal agencies with authority
9 over the provision of drinking water and wastewater serv-
10 ices.

11 (k) AUDITS.—The Secretary shall require each State
12 and Indian Tribe receiving a grant under this section to
13 undertake periodic audits and evaluations of expenditures
14 made by such State or Indian Tribe pursuant to this sec-
15 tion.

16 (l) REPORTS TO CONGRESS.—The Secretary shall
17 submit to Congress a report on the results of activities
18 carried out pursuant to this section—

19 (1) not later than 1 year after the date of en-
20 actment of this section; and

21 (2) upon disbursement of all funds appropriated
22 pursuant to this section.

23 (m) DEFINITIONS.—In this section:

24 (1) INDIAN TRIBE.—The term “Indian Tribe”
25 means any Indian Tribe, band, group, or community

1 recognized by the Secretary of the Interior and exer-
2 cising governmental authority over a Federal Indian
3 reservation.

4 (2) MUNICIPALITY.—The term “municipality”
5 has the meaning given such term in section 502 of
6 the Federal Water Pollution Control Act (33 U.S.C.
7 1362).

8 (3) PUBLIC HEALTH EMERGENCY.—The term
9 “public health emergency” means the public health
10 emergency described in section 1135(g)(1)(B) of the
11 Social Security Act (42 U.S.C. 1320b–5).

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

16 (5) SECRETARY.—The term “Secretary” means
17 the Secretary of Health and Human Services.

18 (6) STATE.—The term “State” means a State,
19 the District of Columbia, the Commonwealth of
20 Puerto Rico, the Virgin Islands of the United States,
21 Guam, American Samoa, and the Commonwealth of
22 the Northern Mariana Islands.

23 (7) TREATMENT WORKS.—The term “treatment
24 works” has the meaning given that term in section

1 212 of the Federal Water Pollution Control Act (33
2 U.S.C. 1292).

3 **SEC. 190704. HOME WATER SERVICE CONTINUITY.**

4 (a) CONTINUITY OF SERVICE.—Any entity receiving
5 financial assistance under division A of this Act shall, to
6 the maximum extent practicable, establish or maintain in
7 effect policies to ensure that, with respect to any service
8 provided by a public water system or treatment works to
9 an occupied residence, which service is provided or regu-
10 lated by such entity—

11 (1) no such service is or remains disconnected
12 or interrupted during the emergency period because
13 of nonpayment;

14 (2) all reconnections of such service are con-
15 ducted in a manner that minimizes risk to the health
16 of individuals receiving such service; and

17 (3) no fees for late payment of bills for such
18 service are charged or accrue during the emergency
19 period.

20 (b) EFFECT.—Nothing in this section shall be con-
21 strued to require forgiveness of outstanding debt owed to
22 an entity or to absolve an individual of any obligation to
23 an entity for service.

24 (c) DEFINITIONS.—In this section:

1 (1) EMERGENCY PERIOD.—The term “emer-
2 gency period” means the emergency period described
3 in section 1135(g)(1)(B) of the Social Security Act
4 (42 U.S.C. 1320b–5).

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

9 (3) TREATMENT WORKS.—The term “treatment
10 works” has the meaning given that term in section
11 212 of the Federal Water Pollution Control Act (33
12 U.S.C. 1292).