

(Original Signature of Member)

117TH CONGRESS
1ST SESSION

H. R.

To prohibit water shutoffs during the COVID-19 emergency period, provide drinking and waste water assistance to households, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Ms. TLAIB introduced the following bill; which was referred to the Committee on _____

A BILL

To prohibit water shutoffs during the COVID-19 emergency period, provide drinking and waste water assistance to households, 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 “Emergency Water is
5 a Human Right Act”.

6 **SEC. 2. HOME ENERGY AND WATER SERVICE CONTINUITY.**

7 Any entity receiving financial assistance pursuant to
8 this Act shall, to the maximum extent practicable, estab-

1 lish or maintain in effect policies to ensure that no home
2 energy service or public water system service to an indi-
3 vidual or household, which is provided or regulated by
4 such entity, is or remains disconnected or interrupted dur-
5 ing the emergency period described in section
6 1135(g)(1)(B) of the Social Security Act. For purposes
7 of this Act, the term “home energy service” means a serv-
8 ice to provide home energy, as such term is defined in sec-
9 tion 2603 of the Low-Income Home Energy Assistance
10 Act of 1981, and electric service, as that term is used in
11 the Public Utility Regulatory Policies Act of 1978, and
12 the term “public water system” has the meaning given
13 that term in section 1401 of the Safe Drinking Water Act.
14 Nothing in this Act shall be construed to require forgive-
15 ness of outstanding debt owed to an entity or to absolve
16 an individual of any obligation to an entity for service.

17 **SEC. 3. LOW-INCOME HOUSEHOLD DRINKING WATER AND**
18 **WASTEWATER ASSISTANCE.**

19 (a) **AUTHORIZATION OF APPROPRIATIONS.**—There is
20 authorized to be appropriated \$1,500,000,000 to the Sec-
21 retary to carry out this section. Such sums shall remain
22 available until expended.

23 (b) **LOW-INCOME HOUSEHOLD DRINKING WATER**
24 **AND WASTEWATER ASSISTANCE.**—The Secretary shall
25 make grants to States and Indian Tribes to assist low-

1 income households, particularly those with the lowest in-
2 comes, that pay a high proportion of household income
3 for drinking water and wastewater services.

4 (c) USE OF LIHEAP RESOURCES.—In carrying out
5 this section, the Secretary, States, and Indian Tribes, as
6 applicable, shall use the existing processes, procedures,
7 policies, and systems in place to carry out the Low-Income
8 Home Energy Assistance Act of 1981, as the Secretary
9 determines appropriate, including by using the application
10 and approval process under such Act to the maximum ex-
11 tent practicable.

12 (d) ALLOTMENT.—

13 (1) FACTORS.—The Secretary shall allot
14 amounts appropriated pursuant to this section to a
15 State or Indian Tribe taking into account—

16 (A) the percentage of households in the
17 State, or under the jurisdiction of the Indian
18 Tribe, that are low-income, as determined by
19 the Secretary;

20 (B) the average State or Tribal drinking
21 water and wastewater service rates; and

22 (C) the extent to which the State or Indian
23 Tribe has been impacted by the public health
24 emergency.

1 (2) NOTIFICATION TO CONGRESS.—Not later
2 than 15 days after determining an amount to allot
3 to each State or Indian Tribe pursuant to paragraph
4 (1), and prior to making grants under this section,
5 the Secretary shall notify Congress of such allotment
6 amounts.

7 (e) DETERMINATION OF LOW-INCOME HOUSE-
8 HOLDS.—

9 (1) MINIMUM DEFINITION OF LOW-INCOME.—In
10 determining whether a household is considered low-
11 income for the purposes of this section, a State or
12 Indian Tribe shall—

13 (A) ensure that, at a minimum, all house-
14 holds within 150 percent of the Federal poverty
15 line are included as low-income households; and

16 (B) consider households that have not pre-
17 viously received assistance under the Low-In-
18 come Home Energy Assistance Act of 1981 in
19 the same manner as households that have pre-
20 viously received such assistance.

21 (2) HOUSEHOLD DOCUMENTATION REQUIRE-
22 MENTS.—States and Indian Tribes shall—

23 (A) to the maximum extent practicable,
24 seek to limit the income history documentation
25 requirements for determining whether a house-

1 hold is considered low-income for the purposes
2 of this section; and

3 (B) for the purposes of income eligibility,
4 accept proof of job loss or severe income loss
5 dated after February 29, 2020, such as a layoff
6 or furlough notice or verification of application
7 of unemployment benefits, as sufficient to dem-
8 onstrate lack of income for an individual or
9 household.

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

14 (g) STATE AGREEMENTS WITH DRINKING WATER
15 AND WASTEWATER PROVIDERS.—To the maximum extent
16 practicable, a State that receives a grant under this sec-
17 tion shall enter into agreements with public water systems,
18 municipalities, nonprofit organizations associated with
19 providing drinking water and wastewater services to rural
20 and small communities, and Indian Tribes, to assist in
21 identifying low-income households and to carry out this
22 section.

23 (h) ADMINISTRATIVE COSTS.—A State or Indian
24 Tribe that receives a grant under this section may use up

1 to 15 percent of the granted amounts for administrative
2 costs.

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

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

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

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

19 (2) upon disbursement of all funds appropriated
20 pursuant to this section.

21 (l) DEFINITIONS.—In this section:

22 (1) INDIAN TRIBE.—The term “Indian Tribe”
23 means any Indian Tribe, band, group, or community
24 recognized by the Secretary of the Interior and exer-

1 cising governmental authority over a Federal Indian
2 reservation.

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

7 (3) PUBLIC HEALTH EMERGENCY.—The term
8 “public health emergency” means the public health
9 emergency described in section 1135(g)(1)(B) of the
10 Social Security Act.

11 (4) SECRETARY.—The term “Secretary” means
12 the Secretary of Health and Human Services.

13 (5) STATE.—The term “State” means a State,
14 the District of Columbia, the Commonwealth of
15 Puerto Rico, the Virgin Islands of the United States,
16 Guam, American Samoa, and the Commonwealth of
17 the Northern Mariana Islands.