

Calendar No. 51

117TH CONGRESS
1ST SESSION

S. 421

[Report No. 117–17]

To amend the America’s Water Infrastructure Act of 2018 to expand the Indian reservation drinking water program, and for other purposes.

IN THE SENATE OF THE UNITED STATES

FEBRUARY 24, 2021

Mr. WYDEN (for himself and Mr. MERKLEY) introduced the following bill;
which was read twice and referred to the Committee on Indian Affairs

APRIL 28, 2021

Reported by Mr. SCHATZ, without amendment

A BILL

To amend the America’s Water Infrastructure Act of 2018 to expand the Indian reservation drinking water program, 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 “Western Tribal Water
5 Infrastructure Act of 2021”.

1 **SEC. 2. INDIAN RESERVATION DRINKING WATER PROGRAM.**

2 Section 2001 of the America’s Water Infrastructure
3 Act of 2018 (42 U.S.C. 300j–3e note; Public Law 115–
4 270) is amended—

5 (1) in subsection (a)—

6 (A) in the matter preceding paragraph (1),
7 by striking “Subject to the availability of appro-
8 priations, the Administrator” and inserting
9 “The Administrator”;

10 (B) in paragraph (1), by striking “and” at
11 the end;

12 (C) in paragraph (2), by striking the pe-
13 riod at the end and inserting “; and”; and

14 (D) by adding at the end the following:

15 “(3) 10 eligible projects described in subsection
16 (b) that are within—

17 “(A) the Columbia River Basin; or

18 “(B) a coastal basin adjacent to the Co-
19 lumbia River.”;

20 (2) in subsection (b)(1)—

21 (A) by striking “is on a reservation” and
22 inserting the following: “is on—

23 “(A) a reservation”;

24 (B) in subparagraph (A) (as so des-
25 ignated), by striking “and” at the end and in-
26 serting “or”; and

1 (C) by adding at the end the following:

2 “(B) an off-reservation site that serves an
3 Indian Tribe described in subsection (c)(2)(B);
4 and”;
5 (3) in subsection (c)—

6 (A) by striking the subsection designation
7 and heading and all that follows through “In
8 carrying out” and inserting the following:

9 “(c) REQUIREMENTS.—

10 “(1) UPPER MISSOURI RIVER BASIN.—In car-
11 rying out”; and

12 (B) by adding at the end the following:

13 “(2) COLUMBIA RIVER BASIN.—In carrying out
14 the program under subsection (a)(3), the Adminis-
15 trator of the Environmental Protection Agency
16 shall—

17 “(A) give priority to projects that respond
18 to emergency situations where a lack of access
19 to clean drinking water threatens the health of
20 Tribal populations;

21 “(B) select not fewer than 1 eligible
22 project that serves 1 or more Tribal commu-
23 nities of federally recognized Indian Tribes the
24 Federal recognition of which has been termi-
25 nated and subsequently restored; and

1 “(C) ensure that not fewer than 1 eligible
2 project under that subsection is carried out
3 in—

4 “(i) the area described in subpara-
5 graph (A) of that subsection; and

6 “(ii) an area described in subpara-
7 graph (B) of that subsection.”;

8 (4) by redesignating subsection (d) as sub-
9 section (e);

10 (5) by inserting after subsection (c) the fol-
11 lowing:

12 “(d) FEDERAL SHARE.—The Federal share of a
13 project carried out under this section shall be 100 per-
14 cent.”; and

15 (6) in subsection (e) (as so redesignated), by
16 striking “\$20,000,000 for each of fiscal years 2019
17 through 2022” and inserting “\$50,000,000 for each
18 of fiscal years 2021 through 2024”.

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