

116TH CONGRESS  
1ST SESSION

# S. 1689

To permit States to transfer certain funds from the clean water revolving fund of a State to the drinking water revolving fund of the State in certain circumstances, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

MAY 23 (legislative day, MAY 22), 2019

Mr. BOOKER introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

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## A BILL

To permit States to transfer certain funds from the clean water revolving fund of a State to the drinking water revolving fund of the State in certain circumstances, 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. TRANSFER AUTHORITY.**

4       (a) FINDINGS.—Congress finds that—

5               (1) lead is a toxic chemical that—

6                       (A) is particularly harmful to young chil-

7                       dren; and

1 (B) can cause reduced intelligence  
2 quotients, attention disorders, and other serious  
3 health problems;

4 (2) excessive and harmful levels of lead have  
5 been found in water systems across all 50 States  
6 and those water systems serve drinking water to mil-  
7 lions of people in the United States;

8 (3) hundreds of the water systems described in  
9 paragraph (2) are water systems that provide drink-  
10 ing water to schools or day care centers;

11 (4) not all States have sufficient funds in the  
12 drinking water revolving fund of that State to ad-  
13 dress the threat to public health from heightened ex-  
14 posure to lead in drinking water; and

15 (5) some States have available funds in the  
16 clean water revolving fund of that State that could  
17 be used to provide additional resources to help ad-  
18 dress lead in drinking water.

19 (b) DEFINITIONS.—In this section:

20 (1) CLEAN WATER REVOLVING FUND.—The  
21 term “clean water revolving fund” means a State  
22 water pollution control revolving fund established  
23 under title VI of the Federal Water Pollution Con-  
24 trol Act (33 U.S.C. 1381 et seq.).

1           (2) DRINKING WATER REVOLVING FUND.—The  
2           term “drinking water revolving fund” means a State  
3           drinking water treatment revolving loan fund estab-  
4           lished under section 1452 of the Safe Drinking  
5           Water Act (42 U.S.C. 300j–12).

6           (c) AUTHORITY.—In addition to the transfer author-  
7           ity in section 302(a) of the Safe Drinking Water Act  
8           Amendments of 1996 (42 U.S.C. 300j–12 note; Public  
9           Law 104–182), and notwithstanding section 1452(d) of  
10          the Safe Drinking Water Act (42 U.S.C. 300j–12(d)),  
11          during the 1-year period beginning on the date of enact-  
12          ment of this Act, if a State, in consultation with the Ad-  
13          ministrators of the Environmental Protection Agency, de-  
14          termines that available funds in the clean water revolving  
15          fund of the State are necessary to address a threat to pub-  
16          lic health as a result of heightened exposure to lead in  
17          drinking water, the State may transfer an amount equal  
18          to not more than 5 percent of the cumulative clean water  
19          revolving fund Federal grant dollars to the State to the  
20          drinking water revolving fund of the State. Funds trans-  
21          ferred pursuant to this subsection shall be used by the  
22          State to provide additional subsidy to eligible recipients  
23          in the form of forgiveness of principal, negative interest  
24          loans, or grants (or any combination of these).

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