

117TH CONGRESS  
1ST SESSION

# S. 421

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

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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

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## 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”.

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

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

10                (1) in subsection (a)—

1 (A) in the matter preceding paragraph (1),  
 2 by striking “Subject to the availability of appro-  
 3 priations, the Administrator” and inserting  
 4 “The Administrator”;

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

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

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

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

12 “(A) the Columbia River Basin; or

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

15 (2) in subsection (b)(1)—

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

18 “(A) a reservation”;

19 (B) in subparagraph (A) (as so des-  
 20 ignated), by striking “and” at the end and in-  
 21 serting “or”; and

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

23 “(B) an off-reservation site that serves an  
 24 Indian Tribe described in subsection (c)(2)(B);  
 25 and”;

1 (3) in subsection (c)—

2 (A) by striking the subsection designation  
3 and heading and all that follows through “In  
4 carrying out” and inserting the following:

5 “(c) REQUIREMENTS.—

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

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

9 “(2) COLUMBIA RIVER BASIN.—In carrying out  
10 the program under subsection (a)(3), the Adminis-  
11 trator of the Environmental Protection Agency  
12 shall—

13 “(A) give priority to projects that respond  
14 to emergency situations where a lack of access  
15 to clean drinking water threatens the health of  
16 Tribal populations;

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

22 “(C) ensure that not fewer than 1 eligible  
23 project under that subsection is carried out  
24 in—

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

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

5                   (4) by redesignating subsection (d) as sub-  
6                   section (e);

7                   (5) by inserting after subsection (c) the fol-  
8                   lowing:

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

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

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