



April 15, 2021

The Honorable Paul Tonko
Chairman
Subcommittee on Environment and
Climate Change
U.S. House of Representatives
Washington, DC 20515

The Honorable David McKinley
Ranking Member
Subcommittee on Environment and
Climate Change
U.S. House of Representatives
Washington, DC 20515

Dear Chairman Tonko and Ranking Member McKinley:

The Association of Metropolitan Water Agencies (AMWA) and the National Association of Clean Water Agencies (NACWA) appreciate the opportunity to jointly submit comments for the record of today's hearing entitled "The CLEAN Future Act and Environmental Justice: Protecting Frontline Communities." Together our organizations represent a wide range of publicly owned drinking water and wastewater systems across the United States, and we greatly appreciate that Congress has demonstrated growing interest in turning its attention to reauthorizing a number of critical drinking water infrastructure assistance programs.

Last month, AMWA wrote to this subcommittee as it held a hearing on the "LIFT America Act," legislation that includes a number of drinking water policy provisions similar to those in the CLEAN Future Act. These include reauthorizing the Drinking Water State Revolving Fund and funding for initiatives to support lead service line replacements and PFAS remediation activities. AMWA made a number of constructive suggestions relating to the LIFT America Act language that are also applicable to the CLEAN Future Act, such as ensuring that any funding for lead service line replacements do not require community water systems to use ratepayer dollars to subsidize the replacement of privately-owned lines, and enabling the use of PFAS remediation grant funding to be used to implement PFAS remediation technology that is actually available today.

AMWA also notes that like the LIFT America Act, the CLEAN Future Act bypasses an opportunity to reauthorize and expand the Drinking Water System Infrastructure Resilience and Sustainability Program – EPA's only authorized initiative focused on helping drinking water systems adapt their infrastructure to withstand natural hazards associated with global climate change. That omission should be rectified as the subcommittee works to create a truly comprehensive piece of climate and infrastructure legislation.

However, AMWA and NACWA are writing jointly today to ask the subcommittee to work with us to develop a workable and effective solution to one increasingly important challenge: water and wastewater affordability for low-income households. While the federal government has long maintained programs to help low-income individuals access essentials like food and home energy, drinking water and wastewater service has never been subject to similarly dedicated federal aid, even though water is just as essential to life as are these other needs. We therefore believe that a permanent low-income water and wastewater customer assistance program should be incorporated into the federal safety net.

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Many drinking water and wastewater utilities currently operate their own local-level ratepayer assistance programs, but adequately funding these efforts is often a challenge because many states prohibit public utilities from using ratepayer revenues to subsidize the rates of other customers. As a result, utilities must find other sources of funds to support their assistance programs, but these sources – like fundraising initiatives or leasing space on utility assets like water towers – are limited.

Critical to sustaining and expanding low-income water and ratepayer assistance is a robust federal investment. Fortunately, Congress recognized this as a particularly acute need in the context of the economic fallout of the COVID-19 pandemic. This led to the creation in December of a \$638 million Low-Income Household Water Assistance Program (LIHWAP) led by the Department of Health and Human Services (HHS), which was subsequently supplemented by an additional \$500 million in the American Rescue Plan Act.

We believe this \$1.1 billion investment is a strong start, and we look forward to HHS acting soon to stand up the program. But even after the COVID-19 pandemic fades into history, uninterrupted access to affordable, clean, and safe water will remain essential to America's public health and sanitation systems. That is why AMWA and NACWA urge Congress to make a LIHWAP-like program a permanent and reliable feature of the federal government's water policy and social safety net. We are eager to work with you to incorporate this concept into the CLEAN Future Act or another appropriate legislative vehicle.

Thank you again for working to improve the nation's water infrastructure. We look forward to working with you to achieve this objective.

Sincerely,



Diane VanDe Hei
Chief Executive Officer
Association of Metropolitan Water Agencies



Adam Krantz
Chief Executive Officer
National Association of Clean Water Agencies

cc: Environment and Climate Change Subcommittee members