

119TH CONGRESS
2D SESSION

S. _____

To amend the Safe Drinking Water Act to reauthorize emergency technical assistance, to amend the Federal Water Pollution Control Act to authorize emergency technical assistance and grants, and for other purposes.

IN THE SENATE OF THE UNITED STATES

Mr. MARKEY (for himself and Ms. WARREN) introduced the following bill;
which was read twice and referred to the Committee on

A BILL

To amend the Safe Drinking Water Act to reauthorize emergency technical assistance, to amend the Federal Water Pollution Control Act to authorize emergency technical assistance and grants, 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; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “Water Emergency and Technical Assistance Act of
6 2026”.

7 (b) TABLE OF CONTENTS.—The table of contents for
8 this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—DRINKING WATER

Sec. 101. Emergency situations.

TITLE II—CLEAN WATER

Sec. 201. Emergency technical assistance and grants for treatment works.

1 **TITLE I—DRINKING WATER**

2 **SEC. 101. EMERGENCY SITUATIONS.**

3 Section 1442 of the Safe Drinking Water Act (42
4 U.S.C. 300j–1) is amended—

5 (1) in subsection (b), in the second sentence, in
6 clause (ii), by inserting “or be economically feasible
7 for ratepayers” after “be taken”; and

8 (2) in subsection (d), by striking “\$35,000,000
9 for each of fiscal years 2022 through 2026” and in-
10 serting “\$50,000,000 for each of fiscal years 2027
11 through 2031”.

12 **TITLE II—CLEAN WATER**

13 **SEC. 201. EMERGENCY TECHNICAL ASSISTANCE AND**
14 **GRANTS FOR TREATMENT WORKS.**

15 Title II of the Federal Water Pollution Control Act
16 (33 U.S.C. 1281 et seq.) is amended by adding at the end
17 the following:

18 **“SEC. 228. EMERGENCY TECHNICAL ASSISTANCE AND**
19 **GRANTS.**

20 “(a) IN GENERAL.—The Administrator may provide
21 technical assistance and grants to States or publicly owned

1 treatment works to assist in responding to and alleviating
2 an emergency situation affecting treatment works (includ-
3 ing an emergency situation resulting from a cybersecurity
4 event) that, as determined by the Administrator, present
5 substantial danger to the public health, such as heightened
6 exposure to contaminants from sewer overflows.

7 “(b) USE OF FUNDS.—A grant under this section
8 shall only be used to support an activity that—

9 “(1) is necessary for preventing, limiting, or
10 mitigating danger to the public health in the appli-
11 cable emergency situation; and

12 “(2) would not, in the judgment of the Admin-
13 istrator, be taken or be economically feasible for
14 ratepayers without the grant.

15 “(c) COORDINATION WITH OTHER PROGRAMS.—

16 “(1) IN GENERAL.—The Administrator may,
17 subject to paragraph (2), carry out this section as
18 part of, and in accordance with the terms and condi-
19 tions of, any other program of assistance for envi-
20 ronmental emergencies that the Administrator is au-
21 thorized to carry out under any other provision of
22 law.

23 “(2) APPLICABILITY OF LIMITATIONS.—No lim-
24 itation on appropriations for any program described

1 in paragraph (1) shall apply to amounts made avail-
2 able under this section.

3 “(d) AUTHORIZATION OF APPROPRIATIONS.—There
4 is authorized to be appropriated to carry out this section
5 \$50,000,000 for each of fiscal years 2027 through 2031.”.