

## Calendar No. 273

107TH CONGRESS  
1ST SESSION**S. 1608****[Report No. 107-119]**

To establish a program to provide grants to drinking water and wastewater facilities to meet immediate security needs.

---

 IN THE SENATE OF THE UNITED STATES

OCTOBER 31, 2001

Mr. SMITH of New Hampshire (for himself, Mr. JEFFORDS, Mr. GRAHAM, and Mr. CRAPO) introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

DECEMBER 10, 2001

Reported by Mr. JEFFORDS, with an amendment

[Strike out all after the enacting clause and insert the part printed in italic]

---

**A BILL**

To establish a program to provide grants to drinking water and wastewater facilities to meet immediate security needs.

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. WATER SECURITY GRANTS.**

4 (a) ~~DEFINITIONS.—~~In this Act:

1           (1) ADMINISTRATOR.—The term “Adminis-  
2           trator” means the Administrator of the Environ-  
3           mental Protection Agency.

4           (2) ELIGIBLE ENTITY.—The term “eligible enti-  
5           ty” means a publicly- or privately-owned drinking  
6           water or wastewater facility.

7           (3) ELIGIBLE PROJECT OR ACTIVITY.—

8           (A) IN GENERAL.—The term “eligible  
9           project or activity” means a project or activity  
10          carried out by an eligible entity to address an  
11          immediate physical security need.

12          (B) INCLUSIONS.—The term “eligible  
13          project or activity” includes a project or activity  
14          relating to—

15                   (i) security staffing;

16                   (ii) detection of intruders;

17                   (iii) installation and maintenance of  
18                   fencing, gating, or lighting;

19                   (iv) installation of and monitoring on  
20                   closed-circuit television;

21                   (v) rekeying of doors and locks;

22                   (vi) site maintenance, such as mainte-  
23                   nance to increase visibility around facili-  
24                   ties, windows, and doorways;

1 (vii) development, acquisition, or use  
2 of guidance manuals, educational videos, or  
3 training programs; and

4 (viii) a program established by a State  
5 to provide technical assistance or training  
6 to water and wastewater facility managers,  
7 especially such a program that emphasizes  
8 small or rural eligible entities.

9 (C) EXCLUSIONS.—The term “eligible  
10 project or activity” does not include any large-  
11 scale or system-wide project that includes a  
12 large capital improvement or vulnerability as-  
13 sessment.

14 (b) ESTABLISHMENT OF PROGRAM.—

15 (1) IN GENERAL.—The Administrator shall es-  
16 tablish a program to allocate to States, in accord-  
17 ance with paragraph (2), funds for use in awarding  
18 grants to eligible entities under subsection (c).

19 (2) ALLOCATION TO STATES.—Not later than  
20 30 days after the date on which funds are made  
21 available to carry out this section, the Administrator  
22 shall allocate the funds to States in accordance with  
23 the formula for the distribution of funds described  
24 in section 1452(a)(1)(D) of the Safe Drinking Water  
25 Act (42 U.S.C. 300j-12(a)(1)(D)).

1           (3) NOTICE.—Not later than 30 days after the  
2           date described in paragraph (2), each State shall  
3           provide to each eligible entity in the State a notice  
4           that funds are available to assist the eligible entity  
5           in addressing immediate physical security needs.

6           (c) AWARD OF GRANTS.—

7           (1) APPLICATION.—An eligible entity that seeks  
8           to receive a grant under this section shall submit to  
9           the State in which the eligible entity is located an  
10          application for the grant in such form and con-  
11          taining such information as the State may prescribe.

12          (2) CONDITION FOR RECEIPT OF GRANT.—An  
13          eligible entity that receives a grant under this sec-  
14          tion shall agree to expend all funds provided by the  
15          grant not later than September 30, 2002.

16          (3) DISADVANTAGED, SMALL, AND RURAL ELI-  
17          GIBLE ENTITIES.—A State that awards a grant  
18          under this section shall ensure, to the maximum ex-  
19          tent practicable in accordance with the income and  
20          population distribution of the State, that a sufficient  
21          percentage of the funds allocated to the State under  
22          subsection (b)(2) are available for disadvantaged,  
23          small, and rural eligible entities in the State.

24          (d) ELIGIBLE PROJECTS AND ACTIVITIES.—

1           (1) ~~IN GENERAL.~~—A grant awarded by a State  
 2 under subsection (e) shall be used by an eligible en-  
 3 tity to carry out 1 or more eligible projects or activi-  
 4 ties.

5           (2) ~~COORDINATION WITH EXISTING TRAINING~~  
 6 ~~PROGRAMS.~~—In awarding a grant for an eligible  
 7 project or activity described in subsection  
 8 (a)(3)(B)(vii), a State shall, to the maximum extent  
 9 practicable, coordinate with training programs of  
 10 rural water associations of the State that are in ef-  
 11 fect as of the date on which the grant is awarded.

12           (3) ~~AUTHORIZATION OF APPROPRIATIONS.~~—There is  
 13 authorized to be appropriated to carry out this section  
 14 \$25,000,000 for fiscal year 2002.

15 **SECTION 1. WATER SECURITY GRANTS.**

16           (a) *DEFINITIONS.*—*In this Act:*

17           (1) *ADMINISTRATOR.*—*The term “Adminis-*  
 18 *trator” means the Administrator of the Environ-*  
 19 *mental Protection Agency.*

20           (2) *ELIGIBLE ENTITY.*—*The term “eligible enti-*  
 21 *ty” means a publicly- or privately-owned drinking*  
 22 *water or wastewater facility.*

23           (3) *ELIGIBLE PROJECT OR ACTIVITY.*—

24           (A) *IN GENERAL.*—*The term “eligible*  
 25 *project or activity” means a project or activity*

1           *carried out by an eligible entity to address an*  
2           *immediate physical security need.*

3           (B) *INCLUSIONS.—The term “eligible*  
4           *project or activity” includes a project or activity*  
5           *relating to—*

6                     (i) *security staffing;*

7                     (ii) *detection of intruders;*

8                     (iii) *installation and maintenance of*  
9                     *fencing, gating, or lighting;*

10                    (iv) *installation of and monitoring on*  
11                    *closed-circuit television;*

12                    (v) *rekeying of doors and locks;*

13                    (vi) *site maintenance, such as mainte-*  
14                    *nance to increase visibility around facili-*  
15                    *ties, windows, and doorways;*

16                    (vii) *development, acquisition, or use*  
17                    *of guidance manuals, educational videos, or*  
18                    *training programs; and*

19                    (viii) *a program established by a State*  
20                    *to provide technical assistance or training*  
21                    *to water and wastewater facility managers,*  
22                    *especially such a program that emphasizes*  
23                    *small or rural eligible entities.*

24           (C) *EXCLUSIONS.—The term “eligible*  
25           *project or activity” does not include any large-*

1           *scale or system-wide project that includes a large*  
2           *capital improvement or vulnerability assessment.*

3           **(b) ESTABLISHMENT OF PROGRAM.—**

4           **(1) IN GENERAL.—***The Administrator shall es-*  
5           *tablish a program to allocate to States, in accordance*  
6           *with paragraph (2), funds for use in awarding grants*  
7           *to eligible entities under subsection (c).*

8           **(2) ALLOCATION TO STATES.—***Not later than 30*  
9           *days after the date on which funds are made available*  
10          *to carry out this section, the Administrator shall allo-*  
11          *cate the funds to States in accordance with the for-*  
12          *mula for the distribution of funds described in section*  
13          *1452(a)(1)(D) of the Safe Drinking Water Act (42*  
14          *U.S.C. 300j-12(a)(1)(D)).*

15          **(3) NOTICE.—***Not later than 30 days after the*  
16          *date described in paragraph (2), each State shall pro-*  
17          *vide to each eligible entity in the State a notice that*  
18          *funds are available to assist the eligible entity in ad-*  
19          *ressing immediate physical security needs.*

20          **(c) AWARD OF GRANTS.—**

21          **(1) APPLICATION.—***An eligible entity that seeks*  
22          *to receive a grant under this section shall submit to*  
23          *the State in which the eligible entity is located an ap-*  
24          *plication for the grant in such form and containing*  
25          *such information as the State may prescribe.*

1           (2) *CONDITION FOR RECEIPT OF GRANT.*—An eli-  
 2           gible entity that receives a grant under this section  
 3           shall agree to expend all funds provided by the grant  
 4           not later than September 30 of the fiscal year in  
 5           which this Act is enacted.

6           (3) *DISADVANTAGED, SMALL, AND RURAL ELIGI-*  
 7           *BLE ENTITIES.*—A State that awards a grant under  
 8           this section shall ensure, to the maximum extent prac-  
 9           ticable in accordance with the income and population  
 10          distribution of the State, that a sufficient percentage  
 11          of the funds allocated to the State under subsection  
 12          (b)(2) are available for disadvantaged, small, and  
 13          rural eligible entities in the State.

14          (d) *ELIGIBLE PROJECTS AND ACTIVITIES.*—

15               (1) *IN GENERAL.*—A grant awarded by a State  
 16               under subsection (c) shall be used by an eligible entity  
 17               to carry out 1 or more eligible projects or activities.

18               (2) *COORDINATION WITH EXISTING TRAINING*  
 19               *PROGRAMS.*—In awarding a grant for an eligible  
 20               project or activity described in subsection  
 21               (a)(3)(B)(vii), a State shall, to the maximum extent  
 22               practicable, coordinate with training programs of  
 23               rural water associations of the State that are in effect  
 24               as of the date on which the grant is awarded.

1       (e) *AUTHORIZATION OF APPROPRIATIONS.*—*There is*  
2 *authorized to be appropriated to carry out this section*  
3 *\$50,000,000 for the fiscal year in which this Act is enacted.*

**Calendar No. 273**

107<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

**S. 1608**

**[Report No. 107-119]**

---

---

**A BILL**

To establish a program to provide grants to drinking water and wastewater facilities to meet immediate security needs.

---

---

DECEMBER 10, 2001

Reported with an amendment