

## Calendar No. 1037

110TH CONGRESS }  
2d Session }

SENATE

{ REPORT  
{ 110-476

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### RURAL ALASKA NATIVE VILLAGE WATER AND SEWER BILL

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SEPTEMBER 22 (legislative day, SEPTEMBER 17), 2008.—Ordered to be printed

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Mrs. BOXER, from the Committee on Environment and Public  
Works, submitted the following

### R E P O R T

[To accompany S. 199]

[Including cost estimate of the Congressional Budget Office]

The Committee on Environment and Public Works, to which was referred a bill (S. 199) to amend the Safe Drinking Water Act Amendments of 1996 to modify the grant program to improve sanitation in rural and Native villages in the State of Alaska, reports favorably thereon and recommends the bill do pass.

#### PURPOSES OF THE LEGISLATION

S. 199 modifies, increases, and extends the existing grant program under the Safe Drinking Water Amendments Act of 1996 to help improve sanitation and water quality in rural and Native American villages in Alaska.

#### GENERAL STATEMENT AND BACKGROUND

In rural communities in Alaska, particularly in Native American villages, as many as one third of homes do not have indoor plumbing. To help address this critical public health and environmental problem, the Safe Drinking Water Amendments Act of 1996 included a grant program to build public water and wastewater systems to improve public health and sanitation in rural and Native villages in Alaska. This program has been successful over the years in helping to provide plumbing, sewers and other infrastructure.

S. 199 increases and extends the authorization of appropriations for grants to Alaska through FY 2010 to help build this important infrastructure. It also requires the state of Alaska to report to the

Administrator of the Environmental Protection Agency annually on project goals and expenditures for the grant program. The bill directs the Administrator to require Alaska to correct any deficiencies identified in the report, and prohibits expenditures for projects for which any such deficiencies are not corrected by an agreed upon deadline.

#### SECTION-BY-SECTION ANALYSIS

##### *Section 1. Grants to Alaska to improve sanitation in rural and Native villages*

Section 1 requires each applicant for grants under the Safe Drinking Water Act grant program to clearly identify the scope and the goal of the project for which funding is sought and how the funds will be used to meet the specific, stated goal of the project; requires the State of Alaska to submit an annual report to the Administrator of the Environmental Protection Agency describing: (1) the specific goals of each project, (2) how funds were used to meet the goal, and (3) whether the goals were met; requires the Administrator of the Environmental Protection Agency to require the State of Alaska to correct any deficiencies identified in any annual report; prohibits additional expenditures for that project if a deficiency in a project included in a report under subsection (f) is not corrected within a period of time agreed to by the Administrator and the State of Alaska; increases authorization for appropriations to \$42,000,000 and extends that authorization to 2010.

#### LEGISLATIVE HISTORY

S. 199 was introduced by Senator Murkowski of Alaska on January 8, 2007. The bill was read twice and referred to the Senate Committee on Environment and Public Works. The Committee met on July 31, 2008, when S. 199 was ordered favorably reported without amendment by voice vote.

#### ROLL CALL VOTES

There were no roll call votes on the bill. The Committee met on July 31, 2008, when S. 199 was ordered favorably reported without amendment by voice vote.

#### REGULATORY IMPACT STATEMENT

In compliance with section 11(b) of rule XXVI of the Standing Rules of the Senate, the Committee makes evaluation of the regulatory impact of the reported bill. The Committee finds that as legislation modifying and expanding a grant program, the bill would not impose additional regulatory burdens.

#### MANDATES ASSESSMENT

In compliance with the Unfunded Mandates Reform Act of 1995 (Pub. L. 104-4), the Committee finds that, in accordance with the conclusions of the Congressional Budget Office, S. 199 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act (UMRA) and would impose no costs on state, local, or tribal governments.

## CONGRESSIONAL BUDGET OFFICE ESTIMATE

*S. 199—A bill to amend the Safe Drinking Water Act Amendments of 1996 to modify the grant program to improve sanitation in rural and native villages in the state of Alaska*

Summary: S. 199 would modify and extend the Environmental Protection Agency's (EPA's) grant program to improve sanitation in rural and native villages in Alaska. Under this bill, grants to the state of Alaska would be contingent on new performance standards, including state actions to ensure that applicants identify the scope and goals of proposed projects and explain how funding would be used to achieve those goals. This legislation also would authorize the appropriation of \$42 million for each of fiscal years 2009 and 2010 for EPA to provide grants to the state of Alaska. Assuming appropriation of the authorized amounts, CBO estimates that implementing S. 199 would cost \$84 million over the 2009–2013 period. Enacting S. 199 would not affect direct spending or revenues.

S. 199 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act (UMRA) and would impose no costs on state, local, or tribal governments.

Estimated cost to the Federal Government: The estimated budgetary impact of S. 199 is shown in the following table. The costs of this legislation fall within budget function 300 (natural resources and environment). For this estimate, CBO assumes that S. 199 will be enacted near the start of fiscal year 2009 and that the amounts authorized by the bill will be appropriated each year. Estimated outlays are based on historical spending patterns for similar programs.

	By fiscal year, in millions of dollars—					
	2009	2010	2011	2012	2013	2009–2013
CHANGES IN SPENDING SUBJECT TO APPROPRIATION						
Grants to Improve Sanitation in Rural and Native Villages in Alaska:						
Authorization Level .....	42	42	0	0	0	84
Estimated Outlays .....	17	34	22	8	3	84

Intergovernmental and private-sector impact: S. 199 contains no intergovernmental mandates as defined in UMRA. The bill would extend an existing grant program for the state of Alaska to improve public water systems in rural and native villages. Any costs state, local, or tribal governments might incur, including matching funds, would result from complying with conditions of aid.

Estimate prepared by: Federal Costs: Susanne S. Mehlman. Impact on State, Local, and Tribal Governments: Neil Hood. Impact on the Private Sector: Amy Petz.

Estimate approved by: Theresa Gullo, Deputy Assistant Director for Budget Analysis.

## CHANGES IN EXISTING LAW

In compliance with section 12 of rule XXVI of the Standing Rules of the Senate, changes in existing law made by the bill as reported are shown as follows: Existing law proposed to be omitted is en-

closed in [black brackets], new matter is printed in italic, existing law in which no change is proposed is shown in roman:

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## SAFE DRINKING WATER ACT AMENDMENTS OF 1996

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### SEC. 303. GRANTS TO ALASKA TO IMPROVE SANITATION IN RURAL AND NATIVE VILLAGES.

(a) **IN GENERAL.**—The Administrator of the Environmental Protection Agency may make grants to the State of Alaska for the benefit of rural and Native villages in Alaska to pay the Federal share of the cost of—

(1) the development and construction of public water systems and wastewater systems to improve the health and sanitation conditions in the villages; and

(2) training, technical assistance, and educational programs relating to the operation and management of sanitation services in rural and Native villages.

(b) **FEDERAL SHARE.**—The Federal share of the cost of the activities described in subsection (a) shall be 50 percent.

(c) **ADMINISTRATIVE EXPENSES.**—The State of Alaska may use an amount not to exceed 4 percent of any grant made available under this subsection for administrative expenses necessary to carry out the activities described in subsection (a).

(d) **CONSULTATION WITH THE STATE OF ALASKA.**—The Administrator shall consult with the State of Alaska on a method of prioritizing the allocation of grants under subsection (a) according to the needs of, and relative health and sanitation conditions in, each eligible village.

(e) **REQUIREMENTS.**—*As a condition of receiving a grant under this section, the State of Alaska shall—*

*(1) require each applicant to clearly identify the scope and the goal of the project for which funding is sought and how the funds will be used to meet the specific, stated goal of the project;*

*(2) establish long-term goals for the program, including providing water and sewer systems to Alaska Native villages; and*

*(3) carry out regular reviews of grantees to determine if the stated scope and goals of each grant are being met.*

(f) **REPORTING.**—*Not later than December 31 of the calendar year following the fiscal year in which this subsection is enacted, and annually thereafter, the State of Alaska shall submit to the Administrator of the Environmental Protection Agency a report describing the information obtained under subsection (e) during the fiscal year ending the preceding September 30, including—*

*(1) the specific goals of each project;*

*(2) how funds were used to meet the goal; and*

*(3) whether the goals were met.*

(g) **REVIEW.**—

*(1) IN GENERAL.*—*The Administrator of the Environmental Protection Agency shall require the State of Alaska to correct any deficiencies identified in a report under subsection (f).*

*(2) FAILURE TO CORRECT OR REACH AGREEMENT.*—

(A) *IN GENERAL.*—If a deficiency in a project included in a report under subsection (f) is not corrected within a period of time agreed to by the Administrator and the State of Alaska, the Administrator shall not permit additional expenditures for that project.

(B) *TIME AGREEMENT.*—

(i) *IN GENERAL.*—Not later than 180 days after the date of submission to the Administrator of a report under subsection (f), the Administrator and the State of Alaska shall reach an agreement on a period of time referred to in subparagraph (A).

(ii) *FAILURE TO REACH AGREEMENT.*—If the State of Alaska and the Administrator fail to reach an agreement on the period of time to correct a deficiency in a project included in a report under subsection (f) by the deadline specified in clause (i), the Administrator shall not permit additional expenditures for that project.

**[(e)](h) AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated to carry out this section **[\$40,000,000]** **\$42,000,000** for each of fiscal years 2001 through **[2005]**2010.

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