

TESTIMONY OF
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NATURAL RESOURCES DEFENSE COUNCIL

BEFORE THE
COMMITTEE ON ENERGY AND COMMERCE
SUBCOMMITTEE ON ENVIRONMENT
UNITED STATES HOUSE OF REPRESENTATIVES

HEARING ENTITLED
"FROM SOURCE TO TAP: A HEARING TO EXAMINE CHALLENGES AND OPPORTUNITIES FOR SAFE, RELIABLE, AND AFFORDABLE DRINKING WATER."

FEBRUARY 24, 2026

SUMMARY

- **The Infrastructure Investment and Jobs Act (or Bipartisan Infrastructure Law, "BIL") was landmark legislation** drafted by members on both sides of the aisle, including members of this Committee. It made an investment of over $30 billion to address some of the urgent backlog in necessary repairs and upgrades for our drinking water systems.
- **Decades of neglect and disinvestment have created an enormous buildup of badly needed upgrades and repairs**. EPA estimates that the 20-year national drinking water infrastructure needs for the nation is $625 billion. Water industry estimates are far higher—from $1 trillion to $1.6 trillion over the next two decades.
- **Progress has been made since President Ford signed the SDWA into law in 1974, but there remain significant public health risks**. Among them are lead, PFAS "forever chemicals," arsenic, perchlorate, nitrates, pesticides, disinfection byproducts, chromium(VI), algal toxins and some microbial risks including Legionella. The broken SDWA standard setting provisions must be fixed. We should drive toward modern treatment that removes a wide suite of contaminants like PFAS, instead of doing the inefficient "contaminant of the month club." The administration's defense of the Lead and Copper Rule Improvements is helpful, but its plans to repeal four PFAS standards and to delay the other two are illegal and unscientific.
- **Federal drinking water infrastructure investments will pay dividends for decades.** But they account for under 5 percent of the national investment in water infrastructure and less than 1 percent of the total need. Most funding comes from the local and state levels.
- **The public is deeply concerned about drinking water safety—according to Gallup polling it's consistently the #1 environmental issue for the public, with 80% expressing concern.** Water utilities, many of which continue to use outdated treatment that fails to remove today's contaminants like PFAS, would be wise to harness that concern to support investments rather than downplaying risks and fighting tap water safety standards. Due in large part to this distrust, the public increasingly has switched to bottled water, spending over $50 billion/year that could be better spent on fixing our water infrastructure.
- **We are threatened with a two-tiered drinking water system** where large water systems are beginning to install more modern and effective treatment and employ expert operators, while many small systems lack the economies of scale, an adequate rate base, and the expertise to modernize, upgrade and operate their systems to meet today's challenges.
- **Cybersecurity and resilience to extreme weather challenge water systems small and large.** Cyberattacks of water systems have been publicly reported, and extreme weather including droughts, hurricanes, superstorms, and saltwater intrusion into coastal waters are increasing risks that require serious attention by Congress, EPA and the industry.
- **Water affordability is increasingly a concern for many consumers**. EPA found that between 12.1 million and 19.2 million households nationally lack affordable access to water services and estimated the need for assistance ranges from $5.1 billion to $8.8 billion per year. We need permanent low-income water assistance legislation, and EPA/states should help utilities adopt water rate structures and affordability programs to assist the neediest customers.
- **The BIL is a historic investment that deserves celebration and will help many communities address pressing needs**. We must ensure that federal funds, especially grants, are prioritized to help the disadvantaged communities including Tribes that need it most.

- **BIL and Safe Drinking Water Act infrastructure authorizations expire in FY26. Congress should reauthorize and expand drinking water funding. Specifically:**
    1. **Reauthorize the Drinking Water State Revolving Fund**, with authorization levels of at least $10 billion/year (1% or less of the total needs), and expand WIFIA. Earmarks should be separately authorized and funded and not taken from SRF funds. We recommend certain program tweaks.
    2. **Reauthorize Lead Service Line Replacement funding**. BIL provided $15 billion over 5 years, or $3 billion/yr. This amount should be reauthorized.
    3. **Reauthorize Emerging Contaminants/PFAS funding**. The BIL provided $4 billion for water systems over 5 years. At least this amount should be reauthorized.
    4. **Reauthorize Small/Disadvantaged Community Emerging Contaminant/PFAS Funding.** BIL included $5 billion over 5 yrs.; at least this amount should be reauthorized.
    5. **Reauthorize funding for Lead in Water in Schools and Childcares**. BIL included $50 million/yr. by FY26. This should be increased to at least $100 million/yr. It should be clarified that funding is for filtration stations with specific requirements noted below.
    6. **Enact a Permanent Low-Income Household Water Affordability Program.** Congress appropriated $1.2 billion for low-income water assistance during the COVID pandemic. BIL directed EPA to assess the need for rural and urban low-income community water assistance; the agency found widespread need for such help. Congress should establish a permanent low-income water assistance program akin to LIHEAP.
    7. **Enact a Polluter Pays Provision, Especially to Address PFAS Contamination.** Congress should enact a polluter pays provision that holds the chemical manufacturers responsible for paying the costs of water treatment to remove these chemicals. Companies that made PFAS or other pollutants and knew or should have known of the threats they would pose to drinking water and health should pay for PFAS removal.

Additional Recommendations

1. **Invest first in those communities that need it most**, paying special attention to the affordability and needs of lower-income and disproportionately affected communities.
2. **Fix lead in our water**, removing lead service lines, vigorously implementing the Lead and Copper Rule Improvements, and fixing lead in the water in schools and childcare centers.
3. **Fix the broken Safe Drinking Water Act standard-setting provisions and ensure new or stronger controls on key contaminants like the class of PFAS, perchlorate, and Legionella**.
4. **Protect source water** to reduce infrastructure costs and health and environmental harms.
5. **Protect water infrastructure from extreme weather events and terror/cyberattacks.**
6. **Invest in technologies** including broad-spectrum treatment and advanced monitoring.
7. **Let citizens act immediately to force action** on imminent health endangerment.
8. **Vigorously enforce** the Safe Drinking Water Act.

Introduction

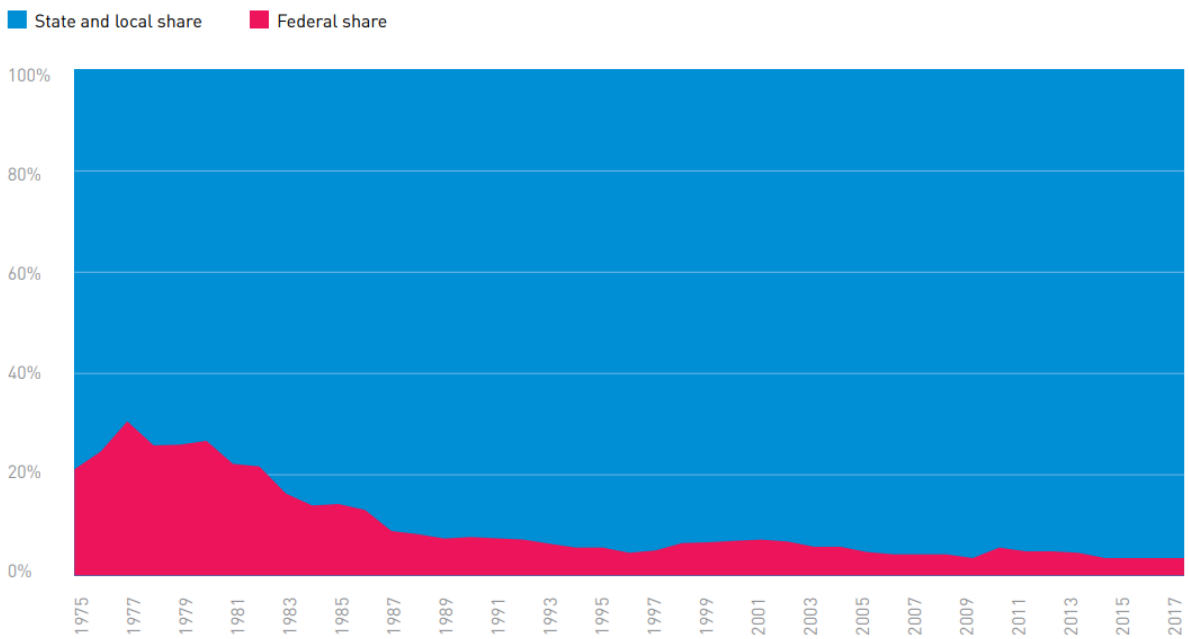
Good morning Chairman Palmer, Ranking Member Tonko and members of the Subcommittee. I am Erik D. Olson, Senior Strategic Director for Health at the Natural Resources Defense Council (NRDC). I have worked on Safe Drinking Water Act issues for over 40 years, beginning with my service as an attorney in the U.S. Environmental Protection Agency's Office of General Counsel in the 1980's, and continuing as a former member of the EPA's National Drinking Water Advisory Council and as a member of numerous EPA advisory committees relating to drinking water. I worked closely with members of this Committee on the 1996 SDWA Amendments. I also served as Deputy Staff Director and General Counsel for the Senate Committee on Environment and Public Works. I have authored numerous reports and served on expert panels on drinking water, including as an advisor to the Government Accountability Office's experts' assessment of how to improve water system security.[1] I appreciate the opportunity to testify.

The Pressing Need for Water Infrastructure Modernization & Upgrades

Decades of neglect and disinvestment have created an enormous backlog of badly needed upgrades and repairs to our nation's drinking water systems. EPA estimates that the 20-year national drinking water infrastructure need for the nation is $625 billion.[2] Water industry estimates are far higher—from $1 trillion[3] to $1.6 trillion[4] or more in coming decades. Aging and out-of-date water treatment plants generally are unable to remove modern contaminants like PFAS. Water mains and distribution system pipes across the country are crumbling and have passed their design life. Millions of lead service lines remain in use. And bacterial and other growth plagues many aging and poorly maintained storage and distribution systems. The public health threats posed by deferred maintenance and the failure to modernize water treatment and distribution systems present an urgent need to update our water systems.

The Infrastructure Investment and Jobs Act (or Bipartisan Infrastructure Law, "BIL") was landmark legislation drafted by members on both sides of the aisle, including members of this Committee. It made an investment of over $30 billion to address some of the urgent backlog in necessary repairs and upgrades for our drinking water systems. While the BIL investments were crucial and helpful, the federal share of funding for water infrastructure is small and had been shrinking, as discussed below and illustrated in the graph "Federal vs. State and Local Share of Water Capital and O&M Investment: 1975-2017."

Federal vs. State and Local Share of Water Capital and O&M Investment: 1975–2017[25]



Source: Value of Water Campaign, The Economic Benefits of Investing in Water Infrastructure (2020)

While Progress Has Been Made, There Remain Big Health Risks from Tap Water

Progress has been made since President Ford signed the SDWA into law in 1974, but there remain significant public health risks. Among the major remaining risks are:

1. Lead Contamination is Widespread

Lead contamination is especially dangerous to children, and reduction of lead levels in tap water yields health and economic benefits estimated to be more than 35-fold larger than costs.[5] EPA found its 2024 lead in water rule will protect nearly a million infants from low birthweight, prevent up to 2,600 children from experiencing Attention Deficit Hyperactivity Disorder, reduce up to 1,500 cases of premature death from heart disease, and prevent up to 200,000 IQ points lost in children.[6] Even so, the American Water Works Association regrettably is challenging the rule.[7] Thankfully, EPA in the current administration is defending the rule. We and our allies including Earthjustice and residents of communities with lead-contaminated tap water have intervened to defend the rule.

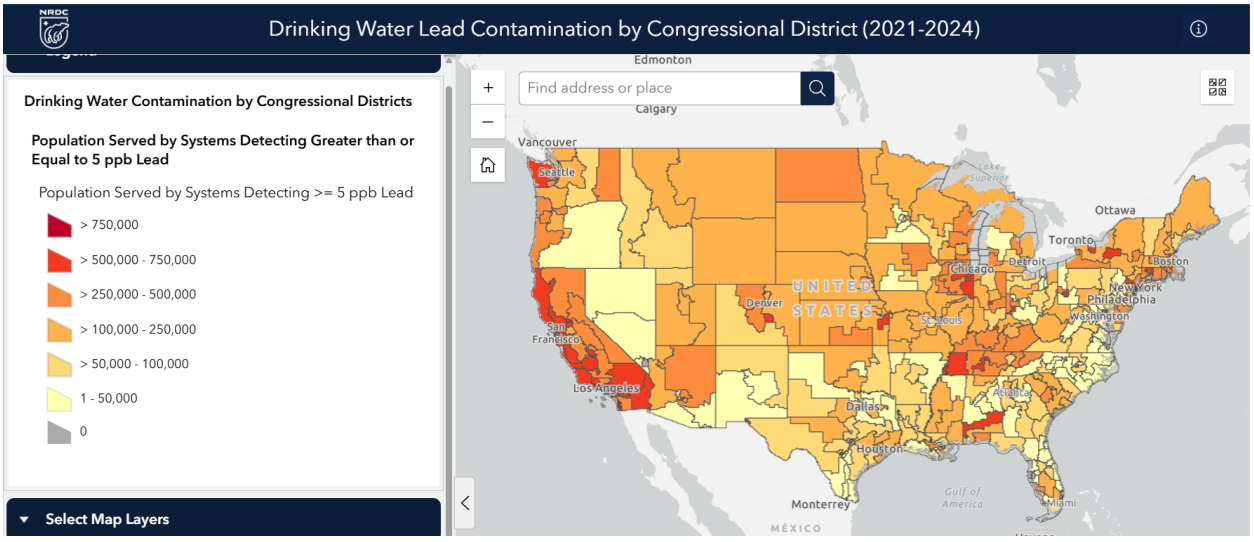
Lead predominantly comes from lead service lines that connect homes to the water main but lead also can be released from plumbing inside the building, particularly when the water system lacks an effective corrosion control program. Industry estimated in 2016 that there were about 6.1 million lead service lines,[8] while NRDC's 50-state survey in 2021 estimated 9 to 12 million,[9] and EPA until late 2025 estimated 9 million.[10] However, in November 2025 agency reduced its estimate to 4 million of

these lead pipes.[11] We are deeply skeptical of this drastic reduction, and as discussed in our analysis of the new EPA number, we believe that for several reasons it is a substantial undercount of the true number of service lines that contain lead.[12] In any event, it is undisputed that there still are millions of these lead pipes that must be removed, and EPA's Lead and Copper Rule Improvements rule would require most of them to be replaced within a decade, albeit with extensions and exceptions.

As our map below and available online shows, lead contamination is widespread, affecting the water served to tens of millions of Americans and in every Congressional district.[13] Of course, since these are 90th-percentile levels, not everyone served by a water system was drinking water exceeding the levels noted, though a significant portion of the people served by that system were. Many homes have lead service lines or lead-containing indoor plumbing, and lead levels at a single tap can vary significantly from day to day because lead is intermittently released into your tap water. So, the only way to know for sure what lead levels are in a home is to repeatedly test it.

EPA data for 2021-2024 show:[14]

- 112.3 million people got their water from systems that detected lead at or above the 5 ppb lead level that is the maximum allowed in bottled water[15]—or 36 percent of the population served by community water systems.
- 44 million people got their water from systems detecting lead at or above the EPA's new 10 ppb lead action level[4] (which becomes effective in 2027)—or 14 percent of the population served by community water systems.
- 12.9 million people got their water from systems detecting lead at or above the EPA's current lead action level of 15 ppb (which remains in effect until 2027)—or about 4 percent of the population served by community water systems.
- A total of 72.6 million people across the nation (about 23.5 percent of the population served by community water systems) got their water from systems that had what the EPA classifies as a "health-based violation" for lead per its existing Lead and Copper Rule during this 2021–2024 period.

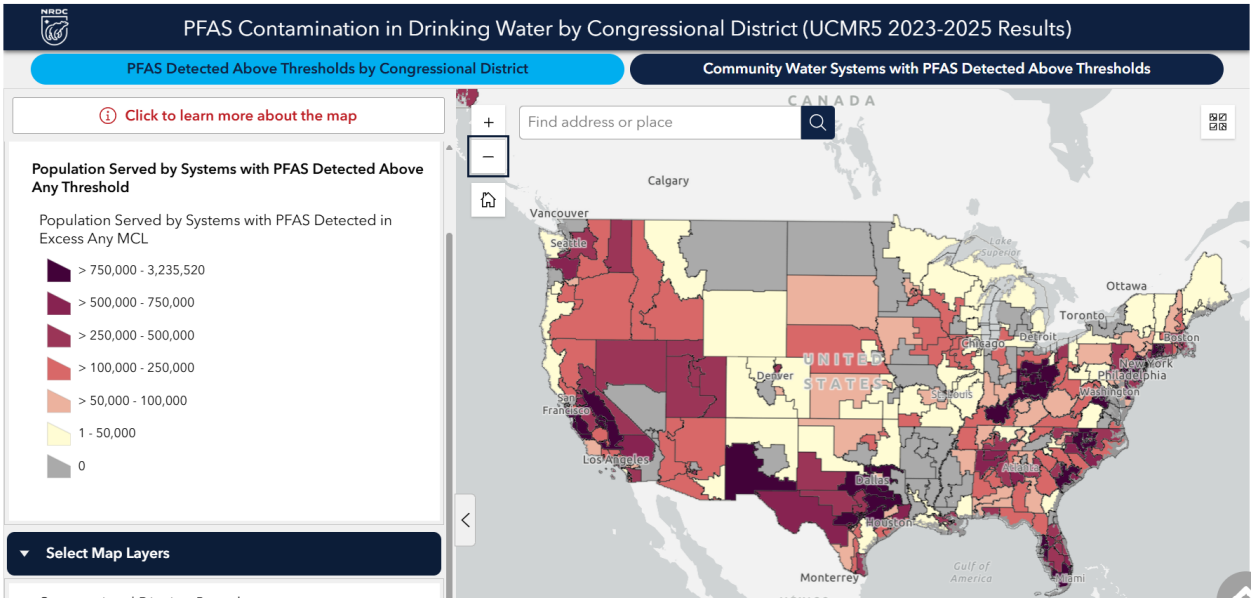


NRDC, 2025, "New Map Shows Areas with Lead Violations and High Lead Levels in Tap Water: The map shows the congressional districts affected by this neurotoxin." https://www.nrdc.org/resources/new-map-shows-areas-high-lead-tap-water-levels-lead-violations

2. *PFAS Contamination Affects All States; Water from One or More Water Systems in at Least 79% of Congressional Districts Exceeds EPA PFAS Standards*

PFAS, often called "forever chemicals" because they are so persistent in the environment and often in the human body, are estimated to contaminate up to 105 million Americans' tap water at levels in excess of EPA's drinking water standards.[16] PFAS contamination affects all states, with early monitoring showing that virtually all states and at least 79% of congressional districts have one or more water systems that exceeds the EPA PFAS tap water standards. As additional monitoring results come in, these numbers clearly will increase.

According to EPA, current peer-reviewed scientific studies have shown that exposure to certain levels of PFAS may lead to reproductive effects such as decreased fertility or increased high blood pressure in pregnant women; developmental effects or delays in children, including low birth weight, accelerated puberty, bone variations, or behavioral changes; increased risk of some cancers, including prostate, kidney, and testicular cancers; reduced ability of the body's immune system to fight infections, including reduced vaccine response; interference with the body's natural hormones; and increased cholesterol levels and/or risk of obesity.[17]



NRDC, "New Maps Show Most Congressional Districts Have a PFAS Problem," 2025. https://www.nrdc.org/resources/new-maps-show-most-congressional-districts-have-pfas-problem

Because of the widespread PFAS contamination, and the extraordinary health risks presented to Americans across the nation, in 2024 EPA issued drinking water standards covering six of these PFAS pollutants. Chemical industry and water utility trade associations sued to overturn those standards, and in late 2024 EPA filed a brief defending the strong legal and scientific grounds upon which they were based.[18] However, when the new administration took power, Administrator Lee Zeldin announced that he was repealing the standards for four of the six PFAS, and would delay enforcement of the other two by two years. We and our allies including Earthjustice and people from communities whose water has been contaminated by PFAS have intervened to defend the rules, which are lawful and based on robust science. We believe that the administration's plans to repeal the standards for four PFAS and to delay the other two standards are unlawful, contrary to the science, and threaten public health. Several states have filed an amicus brief in the litigation supporting the standards.

3. Perchlorate, Arsenic, Nitrates, Other Contaminants Also Pose Health Threats

Perchlorate. There are many other contaminants found in our tap water that continue to pose significant risks. For example, in 2011 EPA found that perchlorate should be regulated and that up to 16 million Americans' tap water was contaminated by this component of rocket fuel, munitions, fireworks and other items.[19] Perchlorate, EPA found, poses particular risks to fetuses and young infants, interfering with the thyroid gland and stunting brain and intellectual development. However, EPA continually delayed regulating perchlorate, and due to the vacuum at the federal level, two states California and Massachusetts issued standards for the chemical.[20] Long story short, NRDC had to repeatedly go to court to force EPA to act, and when the first Trump Administration decided it

would not regulate perchlorate, we sued and the court overturned EPA's action as unlawful.[21] EPA is now under court order to issue new standards, but recently proposed a standard so utterly unprotective that it is ten times higher than Massachusetts's standard and 20 times higher than California's Public Health Goal.[22] The Science Advisory Board of New Jersey DEP recommended a health goal of 0.2 to 2 per billion (ppb),[23] and the California Office of Environmental Health Hazard Assessment set a public health goal of 1 ppb.[24] In stark contrast, EPA has now proposed a standard of 20 ppb, or alternatively 40 ppb or 80 ppb.[25] The agency also has made no effort to collect new national occurrence data for perchlorate since its initial monitoring over two decades ago. EPA's proposed standard is contrary to the science and the law and would fail to protect millions of Americans who have perchlorate in their tap water.

Arsenic is one of only a handful of compounds that EPA and other health authorities consider a known human carcinogen; it also is a widespread drinking water contaminant. The good news is that in 2001 (after an NRDC lawsuit), EPA reduced the standard for arsenic from 50 ppb down to 10 ppb.[26] Recent studies have shown that this reduction had a significant public health benefit.[27] However, a review of arsenic's toxicity by the National Academy of Sciences found that EPA had, in 2001, substantially underestimated the cancer risk posed by arsenic, and that in fact even at the revised 10 ppb standard, it still presents a cancer risk of greater than 1 in 333,[28] orders of magnitude higher risk than EPA accepts for other carcinogens in setting a standard (1 in 10,000 to 1 in 1 million). EPA's own recent analyses confirm that arsenic poses a high cancer risk, but the agency still has not updated its standard in a quarter century.[29]

Nitrates are also widespread drinking water contaminants, often due to agricultural overuse of nitrogen fertilizers, runoff or groundwater contamination from large, concentrated animal feeding operations, septic systems or domestic sewage discharges.[30] EPA's standard for nitrates of 10 parts per million (ppm) was established to protect against "blue baby syndrome," a frightening condition in which infants cannot get oxygen and turn blue and can die. EPA adopted this standard in its original set of rules in 1975, based upon a 1962 U.S. Public Health Service recommendation and relying upon very old science.[31] In recent decades, a great deal of new science has emerged showing links between other adverse health effects of nitrate exposure including colorectal cancer, thyroid disease, and neural tube defects in babies. Many studies observed increased risk with ingestion of water nitrate levels that were below regulatory limits.[32]

Pesticides, disinfection byproducts, hexavalent chromium, algal toxins, and some microbial risks including Legionella. It is beyond the scope of this testimony to discuss in detail the risks posed by these and many other common drinking water contaminants, though many recent scientific papers have highlighted the health threats posed by many of these.[33] However, it should be noted that because of the extremely cumbersome process for standard setting and updating standards established in the 1996 SDWA Amendments, and because of political opposition from water utilities

and sometimes the chemical industry or others, EPA often has had great difficulty strengthening its standards or adopting new ones. While the agency did adopt a series of new rules for certain microbial contaminants and disinfection byproducts (many of which were expressly required by the 1996 Amendments[34]), these were done through decades-long regulatory negotiations, including the 2000 Agreement in Principle, in which I participated for NRDC.[35] Still, these standards need to be strengthened due to increasingly worrisome data indicating continuing risks from certain disinfection byproducts. In addition, EPA has not yet meaningfully addressed the threats from Legionella, which the National Academies of Science, Engineering and Medicine have flagged as a serious ongoing health concern.[36]

EPA's Difficulty With Issuing & Updating Standards Shows the SDWA is Broken

The SDWA standard-setting provisions were made extraordinarily complex and burdensome by the 1996 Amendment and must be fixed if EPA is ever to have an effective drinking water standard setting program. Rather than using what I call a "contaminant of the month club" approach whereby EPA identifies and regulates contaminants one-by-one, taking decades to finish even a single new standard, the law should require rules that address classes of contaminants and should help to drive water utilities toward modern treatment that removes a wide suite of contaminants like PFAS.

The Public is Deeply Concerned about Drinking Water Safety—It's Consistently the #1 Environmental Issue for the Public, with 80% Expressing Concern.

Gallup tracking polling indicates that while in 2025 a record high percentage of the public is concerned about climate change, drinking water contamination continues to consistently rank as the public's top environmental concern.[37] According to the March 2025 Gallup tracking poll, about 80 percent of the public worries about drinking water contamination—the highest level of public concern about any environmental issue. Gallup found that 54 percent of Americans polled worry about the pollution of drinking water a great deal, while 26 percent worry about it a fair amount, 13 percent only a little, and seven percent not at all. Separate polling indicates that about half of the public doesn't drink tap water, in large measure driven by a lack of trust in their tap water.[38] The cause and implications of this lack of trust are further discussed below.

We're Risking a Two-Tiered Drinking Water System Where Small Systems Have Substandard Water

There are roughly 50,000 community water systems in the United States, plus an additional approximately 100,000 "noncommunity" water systems (such as gas stations, parks, and factories that operate their own water systems)—for a total of about 150,000 public water systems.[39] This

compares to about 3,000 electric utilities and 1,000 gas utilities nationally. The vast majority of our drinking water systems—more than 97 percent—are small or very small.

Large water systems are beginning to install more modern and effective treatment and employ expert operators and will increasingly be doing so as the PFAS and other standards take effect. However, many small systems lack the economies of scale, an adequate rate base, and the expertise to modernize, upgrade and operate their systems to meet today's challenges. The solutions to the problem of small water system compliance are complex and can include a variety of approaches including restructuring such as joint purchasing and staffing agreements, physical consolidation, use of package treatment technologies, and technical assistance and capital investments from state and federal programs as needed. Any consolidation of systems should be undertaken with meaningful input from the residents of the affected communities.

Cybersecurity and Resilience to Extreme Weather Challenge Water Systems Small and Large. Water Systems Must be Prepared for 21st Century Threats.

Several cyberattacks of water systems have been publicly reported, posing potentially significant risks to system security and public access to safe water.[40] For example, according to a press account,[41]

> Multiple water and wastewater plants in Texas, United States, were hit by cyber attacks in early 2024. Videos posted online by the purported hackers showed them interacting with various supervisory control and data acquisition (SCADA) systems remotely, arbitrarily adjusting settings and controls. In most cases suspicious activity was caught before material damage was caused, with operations switched to manual control whilst steps were taken to resecure systems. In Muleshoe [TX], a water tank was caused to overflow for about 30-45 minutes before the situation was brought under control

Many experts believe that water systems across the country are vulnerable to such cyberattacks. According to another press account, "Ransomware gangs continue to relentlessly target water systems across the world. U.S. law enforcement agencies said ransomware gangs hit five U.S. water and wastewater treatment facilities from 2019 to 2021 — and those figures did not include three other widely reported cyberattacks on water utilities." [42]

Yet, when EPA issued a guidance document asking states to include an evaluation of water systems' cybersecurity when the state is completing a sanitary survey, AWWA and other water utility associations sued, and a court stayed EPA's memo. Rather than continuing its fight, EPA withdrew its guidance. As a cybersecurity trade press report noted, EPA's caving into the utilities "was not received well by cybersecurity experts, many of whom questioned the decision to let water utilities continue regulating themselves."[43]

In addition, to the cybersecurity risks, another 21st Century threat is posed by extreme weather events triggered by climate change, which are becoming increasingly common. Droughts are plaguing much of the Western United States and at times the Great Plains, with reduced snowpack and other precipitation to feed once-mighty rivers like the Colorado and Mississippi and less recharge of groundwater and surface waters relied upon as sources of drinking water.[44] Droughts also are exacerbating wildfires, which also threaten water supplies, and can burn homes and buildings to the ground. Scientists have documented that when these fires burn plastic pipe in homes or shallow underground pipes, and when groundwater is contaminated due to spills and fire response efforts, polluted water has been siphoned into the water distribution system. This can happen, for example, when water pressure is lost and pollutants are sucked into the system contaminating in some cases the entire underground water system with risky pollutants like benzene.[45] For example, 2018 Camp Fire in California destroyed more than 14,600 homes and caused widespread drinking water system chemical contamination resulting in acute and chronic health risks required water use restrictions.[46]

In addition, hurricanes and other superstorms like Sandy have caused widespread flooding and loss of power, often disrupting water treatment plants. For example, few Texans will forget the 2021 winter storm that knocked out power and froze pipes across the state and left families scrambling for safe drinking water. More than 1,100 public water supply systems reported weather-related disruptions in service, impacting over 14.4 million people, about half of the state's population.[47] In another twist from climate change, saltwater intrusion into coastal waters is increasing risks to water supplies. For example, in recent years a "saltwater wedge" of saline water has crept up the bottom of the Mississippi River due to reduced flow triggered by lower precipitation across much of the River's basin.[48] Last year, this wedge contaminated several water supplies in Louisiana that rely upon the river for drinking water and so threatened the supply for New Orleans that the Army Corps of Engineers had to undertake an emergency temporary construction of a pipeline to bring more freshwater upstream of the city's water intakes.[49] Saltwater in a city's water system can wreak havoc, increasing corrosion of lead pipes and infrastructure, and in several of the contaminated Louisiana systems causing skyrocketing levels of toxic disinfection byproducts.[50]
The risks posed by both cyberattacks and extreme weather events require serious attention by Congress, EPA and the industry. The industry must be prepared for 21st Century threats.

Water Affordability is Increasingly a Concern for Many Consumers.

Water affordability has risen as a top-tier political issue nationwide, as was recently observed by my colleague Larry Levine, who has long sought to focus policymakers' attention on the need to ensure that low-income people can both pay their water bills *and* receive safe, clean tap water. In many places, rising energy bills have been front and center. In New Jersey, Virginia, and Georgia, pledges to address utility costs have carried candidates into office. Now, as policymakers move to tackle rising

energy bills, they must remember that utility affordability isn't just about electricity and gas. As Levine has noted,[51]

> Utility affordability means water affordability too.[52] Both water and energy are essential services for a habitable home.[53] Water bills hit the same kitchen tables as energy bills, and they're increasingly landing with a thud. Solving affordability for either water or energy, alone, still leaves families vulnerable. When people can't afford the water bill, they face shutoffs[54] and mounting debt, just like when they can't afford the electric bill. Loss of both water and energy can endanger people's health—particularly young children or frail older adults—and cause loss of housing.

While there is no doubt that we need to make major investments in our water infrastructure—as noted, for drinking water alone the needs are a staggering $1 trillion to $1.6 trillion dollars—we also must keep in mind those lower-income consumers where higher water bills will be a challenge. As Levine has noted,[55]

> We can't afford not to make those investments. We also can't fund those investments on the backs of households that are least able to pay. Everyone needs access to safe and affordable water. The answer to our affordability problems is not to force people to drink contaminated water or to weaken protections against water pollution. The solution is to tackle our lead, forever chemicals, and other health threats by modernizing our water systems while at the same time addressing affordability challenges through a focus on targeted funding, low-income water affordability and assistance programs, water rate structure reforms, and shutoff protections.

Part of the solution to this challenge would be the creation of a permanent Low Income Household Water Assistance Program. Congress appropriated $638 million in the Consolidated Appropriations Act for Fiscal Year 2021[56] in December 2020 and an additional $500 million in the American Rescue Plan Act[57] in March 2021 for low-income water assistance during the COVID pandemic. Later, BIL directed EPA to conduct a "needs assessment for rural and urban low-income community water assistance." The resulting Report to Congress found that between 12.1 million and 19.2 million households throughout the U.S. lack affordable access to water services.[58]

The need for assistance affects consumers in cities and rural areas alike. Contamination triggering the need for investment and poverty strikes customers irrespective of party affiliation or locale. Water systems serving many small towns and rural communities lack the economies of scale and when contamination hits, the cost of upgrades or treatment per household can be far higher than they are for large systems that can spread the costs among many customers. In reviewing these issues, EPA found that the estimated need for assistance ranges from $5.1 billion to $8.8 billion per year.

Local governments, through water rates, currently fund the overwhelming majority of water infrastructure investments. Federal and state leaders can reduce upward pressure on rates by committing funding to local investments in safe, clean water. This, too, is a key part of water affordability for individual households because locally borne water infrastructure costs are recovered through water rates.

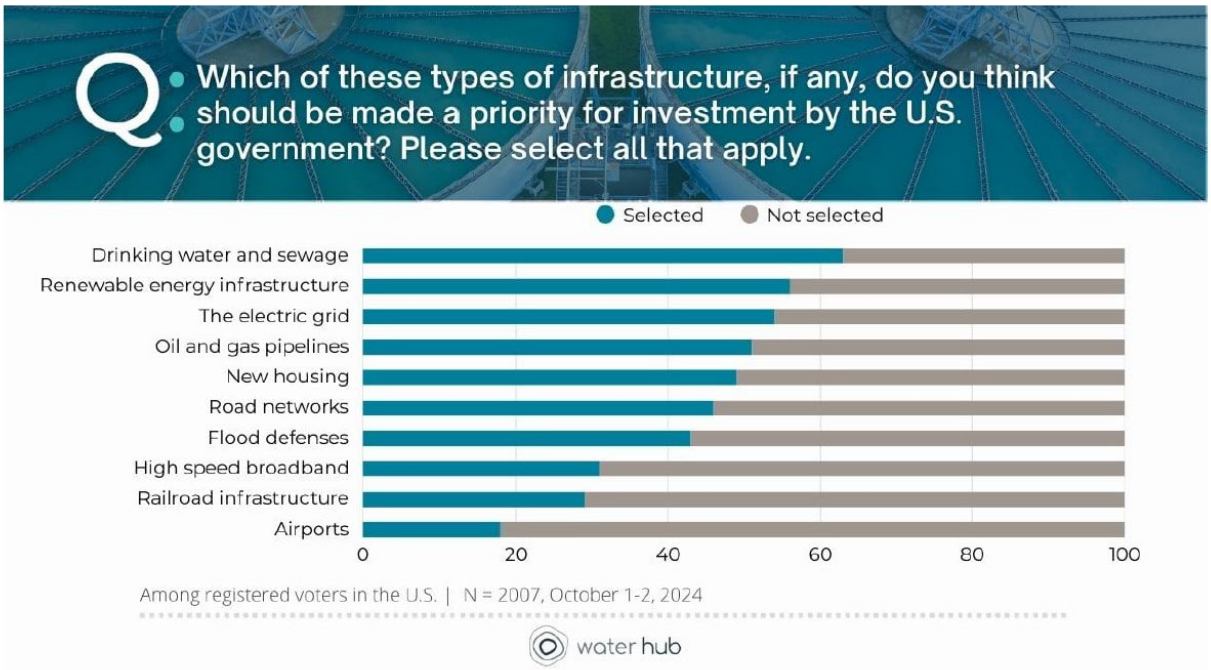
Communities—especially underserved communities—shouldn't have to bear the entire cost of critical improvements to water systems. The federal government and states don't let communities go it alone for roads, schools, or other essential local services, nor should they. Neither should communities be forced to go it alone for access to safe water.

We can't afford not to make those investments. We also can't fund those investments on the backs of households that are least able to pay. Everyone needs access to safe and affordable water. The answer to our affordability problems is not to force people to drink contaminated water or to weaken protections against water pollution. The solution is to tackle our lead, forever chemicals, and other health threats by modernizing our water systems while at the same time addressing affordability challenges through a focus on targeted funding, low-income water affordability and assistance programs, water rate structure reforms, and shutoff protections.

This demonstrates an urgent need for a permanent low-income water assistance program akin to the LIHEAP program. We urge this Committee to include such a program in any bill reauthorizing the SDWA. In addition, Congress should fund and EPA and states should provide technical assistance to water systems to adopt equitable rate designs, which can recover the utility's cost of service without making bills unaffordable for those least able to pay.

Congress Should Reauthorize and Expand SDWA & BIL Drinking Water Funding.

The BIL is a historic investment that deserves celebration and will help many communities address pressing needs. We must ensure that federal funds, especially grants, are prioritized to help the disadvantaged communities including Tribes that need it most. Polling documents that there is broad public support for investments in water infrastructure, as the graph below shows. A 2024 WaterHub poll found that 67% of Democrats, 63% of Independents, and 60% of Republicans say federal investing in water infrastructure should be a priority.[59] The 2025 Value of Water Index[60] found 80% of voters support continued federal funding for water infrastructure.



(https://hubs.ly/Q03dPmCw0)

Specifically, we urge Congress to:

1. **Reauthorize of the Drinking Water State Revolving Fund**, with authorization levels of at least $10 billion/year. That would represent 1 percent or less of the $1 to $1.6 trillion in drinking water infrastructure needs. Congress also should expand resources available for the Water Infrastructure Finance Innovation Act (WIFIA) to encourage greater participation.[61] Earmarks should be separately authorized and funded and not taken from SRF funds. We also recommend certain program tweaks.
2. **Reauthorize of the Lead Service Line Replacement funding**. BIL provided $15 billion over 5 years, or $3 billion/yr. This amount should be reauthorized.
3. **Reauthorize Emerging Contaminants/PFAS funding**. The BIL provided $4 billion for water systems over 5 years. At least this amount should be reauthorized.
4. **Reauthorize Small/Disadvantaged Community Emerging Contaminant/PFAS Funding.** BIL included $5 billion over 5 yrs.; at least this amount should be reauthorized.
5. **Reauthorize funding for Lead in Water in Schools and Childcares**. BIL included $50 million/yr. by FY26. This should be increased to at least $100 million/yr. While BIL included clarifying amendments to SDWA section 1464,[62] it should be further strengthened and clarified that funding is for filtration stations with specific requirements that the filters are:
    a. Certified by an accredited third-party certification body to NSF/ANSI 53 and NSF/ANSI 42 for the reduction of lead and particulate (and any other contaminants of particular concern in that school or childcare center);
    b. Have automatic shutoffs or an indicator when the filter is no longer working; and,
    c. Provide for remote monitoring of the filters in accordance with NSF/ANSI Standard 53 Annex 9, if such filters are available.
6. **Enact a Permanent Low-Income Household Water Affordability Program, and Provide for and Fund EPA and State Technical Assistance on Affordable Water Rates.** As noted above,

Congress should enact a permanent LIHWAP, and in addition should provide for and fund EPA and state technical assistance to water systems to adopt equitable rate designs, which can recover the utility's cost of service without making bills unaffordable for those least able to pay.

7. **Enact a Polluter Pays Provision, Especially to Address PFAS Contamination.** Congress should enact a polluter pays provision that holds the chemical manufacturers responsible for paying the costs of water treatment to remove these chemicals. For example companies that made PFAS knew (or should have known) of the threats they would pose to drinking water and health should pay for PFAS removal. The companies should pay for the cleanup instead of sticking water consumers with the bill.

Additional Recommendations:

1. **Invest first in those communities that need it most**, paying special attention to the affordability and needs of lower-income and disproportionately affected communities.
2. **Fix lead in our water**, removing lead service lines, vigorously implementing the Lead and Copper Rule Improvements, and fixing lead in the water in schools and childcare centers.
3. **Fix the broken Safe Drinking Water Act standard-setting provisions and ensure controls on key contaminants like the class of PFAS, perchlorate, and Legionella**.
4. **Protect source water** to reduce infrastructure costs and health and environmental harms.
5. **Protect water infrastructure from extreme weather events and terror/cyberattacks,** as discussed above**.**
6. **Invest in technologies** including broad-spectrum treatment and real-time and other advanced monitoring.
7. **Let citizens act immediately to force action** on imminent & substantial health endangerments.
8. **Vigorously enforce** the Safe Drinking Water Act.

The Public is Losing Trust in Tap Water, a Self-Inflicted Wound by Water Utilities

The public has increasingly lost trust in tap water, and they are voting with their wallets by switching to bottled water. Gallup tracking polling indicates that drinking water contamination consistently ranks as the public's top environmental concern. As noted earlier, the March 2025 Gallup poll found that about 80 percent of the public worries about drinking water contamination—the highest level of public concern about any environmental issue.[63] According to Gallup, 54 percent of Americans polled worry about the pollution of drinking water a great deal, while 26 percent worry about it a fair amount. Separate polling indicates that about half of Americans don't drink tap water, driven in large part because they don't trust their tap water.[64] This is graphically demonstrated by the skyrocketing sales of bottled water, which continue to increase each year and reached about $51 billion per year in 2024.[65] More money is spent on bottled water than on any other beverage.[66] What could those $51 billion in annual spending do to help upgrade our water infrastructure?

Regrettably, too many water utilities are not getting the message. They should be embracing public demands for cleaner, safer and better-tasting and smelling tap water, and making a compelling case to their customers for investments in better water infrastructure. But too many utilities and their trade associations repeatedly have ignored or downplayed public concerns, providing false reassurances of safety and have even joined polluters of their source water (like PFAS manufacturers)

to fight against stronger health standards for tap water.[67] This is a self-inflicted wound. It has led to lower public trust and support for tap water and its purveyors and diminished use of what should be the go-to source for the public's water consumption. Arguing that "everything is absolutely fine with your drinking water, nothing to worry about," and then saying water rates must increase to pay for upgrades is a difficult and unconvincing public message.

Forward-looking water utilities, on the other hand, recognize the legitimate reasons for public concern about the safety, taste and odor of tap water. They do all they can to communicate honestly about their challenges and support additional funding for improving drinking water and stronger public health standards. This is the way to build public trust and support for additional water infrastructure investment.

Conclusion

In the five decades since the Safe Drinking Water Act was signed into law, we have made progress. EPA has adopted standards for about 100 contaminants, and levels of some contaminants like arsenic have been demonstrably reduced, with significant public health benefits. But we have much farther to go.

Water utilities and policymakers need to recognize the 21st Century threats to our water supplies posed by emerging contaminants like PFAS, perchlorate, and Legionella, must update treatment technologies to tackle a wide array of contaminants instead of chasing them one at a time, and must address threats like cyberattacks and extreme weather. Congress can help by reauthorizing and expanding the SDWA and BIL funding for water infrastructure and fixing the broken parts of the Act including the cumbersome and unworkable standard setting provisions.

Congress also should recognize that we must tackle the affordability of water at the same time we are making sure water is safe to drink. Additional federal funding will help keep water bills in check. But we also need a low income water assistance program, and Congressional support for EPA and states to offer technical assistance to water utilities to restructure their water rates and adopt programs to help low-income households afford their water. Another way to keep water bills down is to enact a clear polluter pays provision that requires companies that made toxic chemicals they knew or should have known would contaminate tap water to pay to clean up drinking water supplies.

With these changes, we can look forward to a safe, reliable and affordable 21st Century water supply, trusted by American consumers.

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